



भारत का राजपत्र

The Gazette of India

प्राधिकार से प्रकाशित
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सं० ९] नई दिल्ली, शनिवार, मार्च २, १९६८/फाल्गुन १२, १९६९
No 9] NEW DELHI, SATURDAY, MARCH 2, 1968/PHALGUNA 12, 1989

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

नोटिस

NOTICE

नीचे लिखे भारत के असाधारण राजपत्र २२ फरवरी १९६८ तक प्रकाशित किये गये :—

The undermentioned Gazettes of India Extraordinary were published up to the 22nd February, 1968 :—

Issue No.	No. and Date	Issued by	Subject
50	S. O. 658, dated 17th February, 1968	Election Commission, India	List of contesting candidates for election to the House of the People from 44-Ghosi Parliamentary Constituency.
51	S. O. 659, dated 18th February, 1968	Ministry of Home Affairs	Amendment in the notification No. 228/1/66-AVD-II, dated 1st March, 1966.
	S. O. 660, dated 18th February, 1968	Do.	Extending the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Uttar Pradesh for the investigation of the offence punishable under section 302 I.P.C. in regard to the death of Shri Din Dayal Upadhyaya.
52	S. O. 661, dated 19th February, 1968	Election Commission, India	List of contesting candidates for election to the House of the People from the 47-Hazaribagh Constituency.
53	S. O. 662, dated 19th February, 1968	Ministry of Home Affairs	Rescission of Order, dated 25th October 1967 in relation to the Union territory of Manipur.

Issue No.	No. and Date	Issued by	Subject
54	S. O. 663, dated 20th February, 1968	Ministry of Commerce.	Quality control and preshipment inspection of electric cables and conductors.
55	S. O. 664, dated 20th February, 1968	Ministry of Information and Broadcasting.	Approval of the films as specified 'herein.
56	S. O. 739, dated 22nd February, 1968.	Ministry of Commerce.	Appointment of a panel of experts for hearing appeals for export of footwear.

ऊपर लिखे असाधारण राजपत्रों की प्रतियाँ प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भजने पर भेज दी जायेगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुँच जाने चाहिएँ।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किए गए विधिक आदेश और अधिसूचनाएँ।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 21st February 1968

S.O. 746.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission of India, in consultation with the Government of Uttar Pradesh hereby nominates Shri Om Prakash Trivedi, Secretary to Government Judicial and Legislative Department and Legal Remembrancer to Government, Uttar Pradesh, as the Chief Electoral Officer for the State of Uttar Pradesh with effect from the date he takes over charge and until further orders *vice* Shri K. B. Srivastava.

[No. 154/13/68.]

ORDER

New Delhi, the 24th January 1968

S.O. 747.—Whereas the Election Commission is satisfied that Shri Hasanand Gopaldas Bhatia, Plot No. 211, Block No. 3, Sion East, Bombay-22, a contesting candidate for bye-election to the House of the People from Bombay North East constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, after considering the representation made by the said candidate, the Election Commission is further satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Hasanand Gopaldas Bhatia to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-HP/8/67(BYE)(3).]

By Order,

A. N. SEN, Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 9th February 1968

S.O. 748.—In exercise of the powers conferred by clause (b) of sub-section (2) of section 3 of the Special Marriage Act, 1954 (43 of 1954), the Central Government hereby makes the following further amendment to the notification of the Government of India in the Ministry of External Affairs No. S.O. 1664, dated the 30th June, 1960, namely :—

In the Table below the said notification, for the entries in column 2 against the country 'Brazil' the following entries shall be substituted, namely :—

"Ambassador, Embassy of India, Rio-de-Janeiro. Counsellor/First Secretary, Embassy of India, Rio-de-Janeiro".

[No. T-434(1)/67.]

S. K. CHATTERJEE, Under Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 21st February 1968

S.O. 749.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the Punjab Co-operative Bank Ltd., Amritsar, in respect of the undernoted properties held by it at Rupar, till the 3rd January, 1969.

1. Three houses and two shops.
2. One plot of land on Kurali Road, measuring 16 Biswas.
3. Three plots of land on Hospital Road, measuring 43 Biswas (including 5 Biswas utilised for passage).

[No. F. 15(3)-BC/68]

New Delhi, the 23rd February 1968

S.O. 750.—Statement of the Affairs of the Reserve Bank of India as on the 16th February 1968

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid Up . . .	5,00,00,000	Notes	18,10,16,000
		1 rupee Coin	3,83,000
Reserve Fund	80,00,00,000	Small Coin	2,91,000
National Agricultural Credit (Long Term Operations) Fund . . .	131,00,00,000	Bills Purchased and Discounted	
		(a) Internal
		(b) External
		(c) Government Treasury Bills	268,35,72,000
National Agricultural Credit (Stabilisation) Fund	25,00,00,000	Balances Held Abroad*	126,82,17,000
National Industrial Credit (Long Term Operations) Fund	10,00,00,000	Investments**	107,59,75,000
		Loans and Advances to :—	
		(i) Central Government
		(ii) State Governments@	74,96,66,000
Deposits—		Loans and Advances to :—	
(a) Government—		(i) Scheduled Commercial Banks†	37,51,82,000
(i) Central Government	50,16,52,000	(ii) State Co-operative Banks††	197,74,65,000
		(iii) Others	3,73,25,000

Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund—

(i) State Governments	12,37,06,000	(a) Loans and Advances to :—	
		(i) State Governments	27,58,23,000
		(ii) State Co-operative Banks	13,01,91,000
		(iii) Central Land Mortgage Banks
(4) Banks—		(b) Investment in Central Land Mortgage Bank Debentures	7,89,36,000
(i) Scheduled Commercial Banks	129,30,00,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund—	
(ii) Scheduled State Co-operative Banks	5,25,25,000	Loans and Advances to State Co-operative Banks	7,78,21,000
(iii) Non-Scheduled State Co-operative Banks	84,80,000		
(iv) Other Banks	7,18,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund—	
(c) Others	358,34,41,000	(a) Loans and Advances to the Development Bank	5,97,87,000
Bills payable	24,44,50,000	(b) Investment in bonds/debentures issued by the Development Bank
Other Liabilities	99,22,38,000	Other Assets	53,85,60,000
Rupees	951,02,10,000	Rupees	951,02,10,000

*Includes Cash and Short-term Securities.

**Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 6,04,17,000 advanced to scheduled commercial banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

††Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 21st day of February, 1968.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 16th day of February 1968
ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department			Gold Coin and Bullion :—		
Notes in Circulation . . .	18,10,16,000		(a) Held in India	115,89,25,000	
	<u>3161,55,52,000</u>		(b) Held outside India	
Total Notes issued . . .		3179,65,68,000	Foreign Securities	<u>166,42,00,000</u>	
			TOTAL		282,31,25,000
			Rupee Coin		77,08,75,000
			Government of India Rupee Securities		2820,25,68,000
			Internal Bills of Exchange and other commercial paper
TOTAL LIABILITIES		<u>3179,65,68,000</u>	TOTAL ASSETS		<u>3179,65,68,000</u>

Dated the 21st day of February, 1968.

L. K. JHA,
Governor.

[No. F. 5(3)-BC/68.]

V. SWAMINATHAN, Under Secy.

(Department of Revenue & Insurance)

INCOME-TAX

New Delhi, the 13th February 1968

S.O. 751.—In exercise of the powers conferred by sub-section (G) of Section 80 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the under-mentioned places to be places of public worship of renown throughout the Delhi State for the purpose of the said section.

1. Birla Mandir, New Delhi.
2. Gauri Shankar Mandir, Delhi.
3. Hanuman Mandir, New Delhi.
4. Jain Mandir, Delhi.
5. Moti Masjid, Red Fort, Delhi.
6. Dargah Hazrat Khwaja Nizamuddin Aulia, Delhi.
7. St. James Church, Delhi.
8. Methodist Church, Delhi.
9. Cathedral Church of the Redemption, New Delhi.
10. Gurdwara Sis Ganj, Delhi.
11. Gurdwara Rakabganj, New Delhi.

[No. 10./F. No. 16/34/67-JT(AI).]

N. SRIRAMAMURTY, Under Secy.

(Department of Revenue and Insurance)

New Delhi, the 17th February 1968

S.O. 752.—In pursuance of rule 3 of the Insurance Claims Board Rules, 1952, the Central Government hereby nominates Shri C. S. Anantapadmanabhan, Ministry of Finance, Department of Revenue & Insurance to be a member of the Insurance Claims Board *vice* Shri S. K. Vaiyapuri.

[No. F. 60(15)-INS. I/59.]

New Delhi, the 19th February 1968

S.O. 753.—In pursuance of sub-rule (3) of rule 3 of the Insurance Claims Board Rules, 1952, the Central Government hereby appoints Shri R. D. Khanwalkar, Section Officer, Department of Revenue & Insurance, Ministry of Finance, New Delhi as Secretary to the Insurance Claims Board in addition to his duties *vice* Shri S. D. Singh appointed in the Notification of the Government of India, Ministry of Finance No. S.O. 2553 dated the 21st November, 1959.

2. All communications intended for the said Board may be addressed to the said Shri R. D. Khanwalkar.

[No. 60(15)-INS. I/59.]

RAJ K. NIGAM, Dy. Secy.

CENTRAL BOARD OF EXCISE AND CUSTOMS

CUSTOMS

New Delhi, the 20th February 1968

S.O. 754.—In exercise of the powers conferred by sections 157 and 158 of the Customs Act, 1962 (52 of 1962) and of all other powers enabling it in this behalf, the Central Board of Excise and Customs hereby makes the following Regulations, namely :—

1. **Short title and commencement.**—(1) These regulations may be called the Customs (Fees for Rendering Services by Customs Officers) Regulations, 1968.

(2) They shall come into force on the date of their publication in the Official Gazette

2. **Definitions.**—In these Regulations, unless the context otherwise requires—

(a) "Act" means the Customs Act, 1962 (52 of 1962);

(b) "Customs Officer" means a proper officer and includes such officers as are specified in column (1) of the Table;

(c) "Table" means the Table appended to these Regulations.

3. **Levy of fees for rendering of services.**—(1) On a request made in that behalf by any person, a fee as specified in columns (2) to (5) of the Table shall be levied for the rendering of services under the Act by any of the customs officers enumerated in column (1) thereof

(2) The fees levied under sub-regulation (1) shall be payable by the person who requests for the services of any customs officer or, on account of whose request, the services of any customs officer have to be made available.

(3) The fees levied under sub-regulation (1) shall be subject to the following conditions, namely :—

(a) The levy of fee as aforesaid shall be levied for a minimum of 3 hours in each case, except in cases of overtime postings immediately preceding or immediately following the regular hours of duty of the concerned cadre of officers.

(b) The period between midnight and 6 A.M. shall be treated as a block and overtime fees will be charged for the entire block whether the services are required for the entire block or for only a portion thereof.

(c) In relation to jobs to be performed by any Preventive Officer during the normal duty hours i.e. 10 A.M. to 6 P.M., there shall be two blocks from 10 A.M. to 1-30 P.M. and from 2 P.M. to 6 P.M. respectively (so that an officer may be enabled to perform two jobs during his duty hours) and fees will be charged for the entire block whether the request for the services of such officer relates to the entire block or only a portion thereof.

4. **Supersession of orders and instructions.**—All orders and instructions in force at the commencement of these regulations, in respect whereof provisions are made under these regulations, shall cease to be in force with effect from such commencement.

TABLE
[See Regulations 2(c) and 3]

Designation of the Officer	Fees per hour or part thereof on any working day		Fees per hour or part thereof on any Sunday or other holiday	
	From 6 A.M. to 8 P.M.	From 8 P.M. to 6 A.M. if job during this period is for less than 6 hours if job during this period is for 6 hours or more		
(1)	(2)	(3)	(4)	(5)
	Rs.	Rs.	Rs.	Rs.
1. Examiner	3.00	3.50	4.00	4.50
2. Preventive Officer	2.50	3.00	3.25	3.75
3. Deputy Superintendent and Inspector of Central Excise performing Customs duties	2.50	3.00	3.25	3.75
4. Sub-Inspector of Central Excise, Tally Clerk and Petty Officer performing Customs duties.	1.50	1.75	2.00	2.25

[No. 21-F. No. 10/33/67-Adv.]

M. G. ABROL,
Member,

CUSTOMS

New Delhi, the 24th February 1968

S.O. 755.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declare Jaipur, in the State of Rajasthan, to be a warehousing station.

[No. 20/68-Customs—F. No. 3/12/68-Cus.VII.]

M. S. SUBRAMANYAM, Under Secy.

MINISTRY OF COMMERCE

New Delhi, the 22nd February 1968

S.O. 756.—In exercise of the powers conferred by clause (j) of sub-section (3) of section 4 of the Central Silk Board Act, 1948 (61 of 1948), the Central Government hereby nominates

Shri A. B. Mulay, Mill Mazdoor Sabha, 39 Patel Terrace, Parel, Bombay-12.	}	A representative of labour
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to be a member of the Central Silk Board with immediate effect.

[No. F. 22/1/67-Tex(F)]

DAULAT RAM, Under Secy.

RUBBER CONTROL

New Delhi, the 22nd February 1968

S.O. 757.—In exercise of the powers conferred by clauses (b), (c) and (d) of sub-section (3) of section 4 of the Rubber Act, 1947 (24 of 1947), read with sub-rules (2), (3) and (4) of rule 3 of the Rubber Rules, 1955, the Central Government hereby notifies the nomination of the persons specified in items (1) to (10) and election of the persons specified in items (11) to (14) below as members of the Rubber Board for a period of three years with effect from the 22nd February 1968 to represent the various Governments and interests as shown against their names, namely:—

- | | | |
|---|---|--|
| (1) Shri T. V. Swaminathan, Additional Secretary to the Government of Kerala, Agriculture Department, <i>Trivandrum</i> . | } | Nominated by the Government of Kerala to represent that Government. |
| (2) Shri S. Anantakrishnan, Managing Director, Plantation Corporation of Kerala Ltd., <i>Kottayam (Kerala)</i> . | | |
| (3) Shri T. Jayadev, Chief Conservator of Forests, <i>Madras</i> . | } | Nominated by the Government of Madras to represent that Government. |
| (4) Shri K. M. Chandy, Kizhakkayil, <i>Palai (Kerala State)</i> . | | |
| (5) Shri T. O. Abdullah, Tharackndathil, Thottakkarukara, <i>Alwaye (Kerala State)</i> | } | Nominated by the Central Government to represent the small growers in the State of Kerala. |
| (6) Shri Joseph Mangara, Vice-President, Thadikadavu Panchayat, Cherparadava Post, <i>Cannanore District (Kerala)</i> | | |

- | | | |
|---|---|--|
| (7) Shri A. T. Mathyoo, Secretary, Association of Rubber Manufacturers in India, 57-B, Free School Street, Calcutta-16. | } | Nominated by the Central Government to represent the rubber manufacturers. |
| (8) Shri K. M. Philip, C/o Madras Rubber Factory Ltd., Jeevan Udyog, Dr. D. N. Road, Bombay-1. | | |
| (9) Shri C.H.S. London, M/s. Harrisons & Crossfield Ltd., Qailon (Kerala). | } | Nominated by the Central Government to represent 'other interests'. |
| (10) Dr. A. Seetharamiah, Senior Industrial Adviser, Directorate General of Technical Development, Udyog Bhavan, New Delhi. | | |
| (11) Shri M. M. George, Omanapuram Estate, 'Poste Restante' Kulasekharam (Madras). | } | Elected by the large growers in the State of Madras. |
| (12) Shri Michael A. Kallivayalil, Maruthy Estate, Mandakayam, Peruvanthanam (Kerala). | | |
| (13) Shri Joseph Jacob, Advocate, "Kirpa" Bank Road, Calicut-1 (Kerala). | } | Elected by the large growers in the State of Kerala. |
| (14) Shri K. T. Thomas, Managing Director, The Manalur Rubber Company Ltd., P.B. No. 158, Calicut-1 (Kerala). | | |

[No. 15(3) Plant(B)/67]

B. KRISHNAMURTHY, Under Secy.

(Office of the Joint Chief Controller of Imports and Exports)

ORDERS

Bombay, the 5th December 1967

SUBJECT.—Order for cancellation of Exchange Control Copy of Licence No. P/CG/2051989 dated 23rd April 1965 issued in favour of M/s. Suraj Textile Mills Ltd., G.T. Road, Malout Mandi, Distt. Ferozepur.

S.O. 758.—M/s. Suraj Textile Mills Ltd., Ferozepur was granted an Import Licence No. P/CG/2051989 dated 23rd April 1965 for Rs. 24064/-, enhanced to Rs. 33860/-, for the import of Card Grinding machines, i.e. 6 Pcs. best English Dronsfield's improved grinding rollers No. 112 with enclosed traverse motion No. 230 and pulley 7" dia. suitable for 40" cards, one piece best English Dronsfield automatic flat grinding machine No. 241 complete with dust extractor unit fillet covered roller motor and starter suitable for 40" cards and four pieces long grinding rollers suitable for 40" cards under cash ceiling during A.M. 85 period. They have applied for a duplicate Exchange Control Purpose Copy of the licence on the ground that the original Exchange Control Purpose Copy of the licence has been lost or misplaced. It is further stated that the original licence was registered with Bombay Customs House and that exchange control copy of the licence was utilised for Rs. 7051.18.

2. In support of this contention, the applicant has filed an affidavit on a stamped paper duly attested before the Oath Commissioner, Muktsar. I am satisfied that the exchange control purpose copy of the Licence No. P/CG/2051989 dated 23rd April 1965 has been lost or misplaced and direct that a duplicate exchange control purpose copy of the licence should be issued to the applicant. The original exchange control copy of the Licence No. P/CG/2051989 dated 23rd April 1965 is cancelled.

[No. 11.]

[Issued from File No. CG/S-201/AM65/AU1.]

Bombay, the 7th December 1967

SUBJECT.—Order for cancellation of both Exchange and Custom purpose copies of the licence No. P/CG/205792 dated 23rd January 1967 issued in favour of Shree Gopal Industries Ltd., Shreeniwas House, Waudby Road, Bombay.

S.O. 759.—M/s. Shree Gopal Industries Ltd., Bombay were granted an import licence No. P/CG/2057392 dated 23rd January 1967 for Rs. 17350/- for the import of card clothing/metallic cylinder and doffer clothing under Rupee payment Trade Plan from Hungary for the licensing period AM 67. They have applied for a duplicate exchange and Custom purpose copies of the licence on the ground that the original licence (both copies) have been lost or misplaced. It is further stated that the original licence was not registered with any Customs Authority and not utilised at all.

2. In support of this contention, the applicant has filed an affidavit on a stamped paper duly attested and signed by the Justice of the Peace. I am satisfied that the exchange and custom purpose copies of the licence No. P/CG/2057392 dated 23rd January 1967 have been lost or misplaced and direct that a duplicate both exchange and custom purpose copies of the licence should be issued to the applicant. The original licence No. P/CG/2057392 dated 23rd January 1967 is cancelled.

[Issued from File No. CG/S.184.AM67/AUI.]

[No. 12.]

SMT. M. D'COSTA.

Dy. Chief Controller of Imports & Exports,
for Jt. Chief Controller of Imports & Exports.

(Office of the Jt. Chief Controller of Imports and Exports)

(Central Licensing Area)

CANCELLATION ORDER

New Delhi, the 18th December 1967

S.O. 760.—M/s. Shamsuddin Mustaq Ahamad, New Bazar, Bhadohi (Varanasi) were granted following Import Licence:—

Licence No. & date	Value	Description of goods
P/EP/2316671/C dated 30-5-66.	Rs. 2673/-	Wool Tops, combed in India/raw wool shoddy wool, Rs. 2005/- (including Man Made Fibre/ Tow/Yarn including Nylon Yarn upto Rs. 731/-) and Dyes and Chemicals of Permissible type only Acid and direct dyes will be free from face value restrictions Rs. 668/- only.

They have applied for duplicate copy of Exchange Control purposes of above mentioned licence which has been lost or misplaced. It is further stated that original licence was not registered and partly utilised.

2. In support of this contention, the applicant has filed an affidavit. I am satisfied that the original Licence No. P/EP/2316671/C (Exchange Control Copy) has been lost and direct that the duplicate licence (Exchange Control Copy) should be issued to the applicant in lieu thereof. The original Licence No. P/EP/2316671/C (Exchange Control Copy) is cancelled.

[No. Carpet/577/65/EPS-I/CLA/3882.]

J. S. BEDI,

Joint Chief Controller of Imports and Exports.

(Office of the Controller of Imports and Exports)

OFFICE ORDER

Rajkot, the 27th December 1967

SUBJECT:—Order of cancellation of both the copies of Import Licence No. P/EI/0031297 dated 19th July 1967 issued in favour of M/s. Mohanlal Kanji Ghia, Ghia Chamber, Garedia Kuva Road, Rajkot.

S.O. 761.—M/s. Mohanlal Kanji Ghia of Ghia Chamber, Garedia Kuva Road, Rajkot was granted an Import Licence No. P/EI/0031297 dated 19th July 1967 for Import of Instruments and Apparatus Nos. under Import Trade Control Sr. No. 92(n)Part V worth Rs. 1000/- only on General Currency Area for the April-March 1968 licensing period. They have applied for duplicate copy of the licence for Customs Purposes as well as for Exchange Control Purposes on the ground that the original copies have been lost or misplaced. It is further stated that the original copies have not been registered with any Customs Authority and that both the copies have not been utilised at all.

In support of this contention, the applicants have filed an affidavit on stamped paper duly attested before the Taluka Magistrate, Rajkot. I am satisfied that both the copies of the licence are lost or misplaced and direct that duplicate copies of the licence should be issued to the applicants. Both the copies of the original Licence No. P/EI/0031297 dated 19th July 1967 are cancelled.

[Issued from File No. 92(n)V/1/EI/AM-68.]

P. J. JOSHI,

Controller of Imports and Exports.

(Office of the Jt. Chief Controller of Imports and Exports)

ORDERS

Bombay, the 8th January 1968

SUBJECT:—Order of cancellation of Import Licence No. P/SS/1557331 dated 11th January 1967 issued to M/s. S. R. Engineering Works, Ahmedabad.

S.O. 762.—M/s. Engineering Works, Ahmedabad were granted an Import Licence No. P/SS/1557331 dated 11th January 1967 for Rs. 14331/- for import of Silicon Carbide Crucibles under S. No. 26.3.II for the licensing period A.M. 67. They have applied for a duplicate of the licence for Custom Purposes on the ground that the original of the Custom purposes copy has been lost or misplaced after having been utilised for Rs. Nil and the duplicate now required is to cover the balance for Rs. 14331/-.

2. In support of this contention, the applicants have filed an affidavit on stamped paper duly attested before the Taluka Magistrate, Ahmedabad. I am satisfied that the original Licence No. P/SS/1557331 dated 11th January 1967 Custom purposes copy has been lost or misplaced and have directed that a duplicate Custom Purpose Copy of the said licence should be issued to the applicants. The original Custom Purposes Copy of licence No. P/SS/1557331 dated 11th January 1967 is hereby cancelled.

[No. 3.]

[Issued from File No. SPL/NCG/S-31/A.M. 67/AU2]

SUBJECT:—Order for cancellation of Import Licence No. P/AU/1245770 dated the 15th December 1966 issued to M/s. Bombay Silk Mills Ltd., Bombay.

S.O. 763.—M/s. Bombay Silk Mills Ltd., Bombay were granted an Import Licence No. P/AU/1245770 dated 15th December 1966 for Rs. 8300 for the Import of All Permissible Types of Spare Parts/Accessories/of Textile Machinery including Electrical and Mechanical Parts. 1. Calender Felts. 2. Automatic Looms 3. Pirn Winding Machine. 4. Warping Machine. 5. Sizing Machine. 6. Stentering and

Felt Calendering Machine under S. No. 4. 5. and 5.2. III for the licensing period A.M. 67 period. They have applied for a duplicate of the licence for Customs and Ex. Control Purposes on the ground that the original licence has been lost/or misplaced without having been registered with any custom authority and utilised at all.

2. In support of this contention, the applicants have filed an affidavit on stamped paper duly attested before the Presidency Magistrate Esplanade Court, Bombay. I am satisfied that the Original Licence No. P/AU/1245770 dated 15th December 1966 (both Copies) have been lost or misplaced and directed that a duplicate licence (both Copies) should be issued to the applicant. The original Licence No. P/AU/1245770 dated 15th December 1966 is hereby cancelled.

[No. 4.]

[Issued from File No. NCG/B. 32/A.M. 67/AU2.]

SUBJECT.—*Order for cancellation of Exchange Control Purposes Import Licence No. 1268549 dated 26th March 1965 issued to M/s. Gokalchand Rattanchand Woollen Mills Pvt. Ltd., Bombay.*

S.O. 764.—M/s. Gokalchand Rattanchand Woollen Mills Pvt. Ltd., Bombay were granted an Import Licence No. P/AU/1268549 dated March 1965 for Rs. 21,950 for import of Permissible Items of Spare Parts/Accessories/Small Value Machines for Woollen Industries under S. No. 5.2.III for the licensing period A.M. 65. They have applied for a duplicate of the Exchange Control Purposes Copy on the ground that the original Exchange Control Purposes Copy has been lost or misplaced, after having been utilised for Rs. 127/39 nP and the duplicate now required is to cover the balance for Rs. 21822/61 nP.

In support of this contention the applicants have filed an affidavit on stamped paper duly attested before the Presidency Magistrate Esplanade Court, Bombay. I am satisfied that the original Exchange Control Copy of Licence No. P/AU/1268549 dated 26th March 1965 has been lost or misplaced, and have directed that a duplicate Exchange Control Purposes Copy of the said Licence should be issued to the applicants. The original Exchange Control Copy of the Licence No. P/AU/1268549 dated 26th March 1965 is cancelled.

[No. 2.]

[Issued from File No. NCG/G.2/64-65/AU2.]

Bombay, the 10th January 1968

SUBJECT.—*Order for cancellation of Exchange Control copy of Licence No. G/CG/2025887 dated 22nd December 1964 issued in favour of M/s. Coimbatore Pioneer Mills, P.B. No. 829, Peelamedu Post, Coimbatore.*

S.O. 765.—M/s. Coimbatore Pioneer Mills, Coimbatore were granted an Import Licence No. C/CG/2025887 dated 22nd December 1964 for Rs. 7900/- for import of permissible electrical and mechanical spares of textile machinery falling under part III 5/2 under the cash ceiling during the A.M. 65 period. They have applied for a duplicate of the Exchange Control Copy of the licence on the ground that the original thereof has been lost or misplaced. It is further stated that the original Exchange Control Copy of the licence was registered with Madras Customs House and not utilised at all.

In support of the above contention, the applicant firm have filed an Affidavit on stamped paper duly attested by the District Judge, Coimbatore. I am satisfied that the Exchange Control Copy of Licence No. C/CG/2025887 dated 22nd December 1964 has been lost or misplaced and direct that a duplicate Exchange Control Copy of the licence should be issued to the applicant. The original Exchange Control Copy of Licence No. G/CG/2025887 dated 22nd December 1964 is hereby cancelled.

[No. 13.]

[Issued from File No. CG/C.135/AM65/AU1.]

Bombay, the 11th January 1968

SUBJECT.—Order for cancellation of Import Licence No. P/EI/0117410 dated 31st October 1967 issued to M/s. Thakker Odhavji Bhavanbhai and Co., Grain Market, Jamnagar (Gujarat) W. Rly.

S.O. 766.—M/s. Thakker Odhavji Bhavanbhai & Co., Grain Market, Jamnagar, Gujarat, W. Rly. were granted an Import Licence P/EI/0117410 dated 31st October 1967 for Rs. 7104/- for import of Dates under S. No. 21.B.IB for licensing period October./September 1968. They have applied for a duplicate copy of the licence for Customs and or Exchange Control purposes on the ground that the original Custom and Exchange Control Copies have been lost or misplaced, after having been utilised for Rs. nil and duplicate copies now required are to cover the balance of Rs. 7104/-.

2. In support of this contention, the applicants have filed an Affidavit on a stamped paper duly attested before the Addl. District Magistrate, Jamnagar. I am satisfied that the original Licence No. P/EI/0117410 dated 31st October 1967 Customs Copy and Exchange Control Copies have been lost or misplaced and direct that a duplicate Custom and Exchange Control Copies of the said licence should be issued to the applicant. The original Customs and Exchange Control Licence No. 0117410 dated 31st October 1967 is cancelled.

[No. 21(b)-IV/87/O.S. 68/EI.I.]

Bombay, the 31st January 1968

SUBJECT.—Order for cancellation of Exchange Control Purpose Import Licence No. 1556982 dated 12th October 1966 issued to M/s. Punjab Waste Plant Co., Abohar.

S.O. 767.—M/s. Punjab Waste Plant Co., Abohar were granted an Import Licence No. 1556982 dated 12th October 1966 for Rs. 22,020 for import of permissible items of 2 complete sets of Card Clothing including Linkerin Fillets Break Fillets/Finisher Fillet Fancy Fillet and Strips under S. No. 5-I-K/III for the licensing period A.M. 67. They have applied for a duplicate of the Exchange Control Purposes Copy on the ground that the original Exchange Control Purposes copy has been lost or misplaced.

In support of this contention the applicants have filed an affidavit on stamped paper duly attested before the Oath Commissioner, Chandigarh. I am satisfied that the original Exchange Control Copy of Licence No. 1556982 dated 12th October 1966 has been lost or misplaced, and have directed that a duplicate Exchange Control Purposes Copy of the said licence should be issued to the applicants. The original Exchange Control Copy of the licence No. 1556982 dated 12th October 1966 is cancelled.

[No. 5]

[Issued from File No. Spl/NCG-P-9/AM-67/AU-2.]

Bombay, the 7th February 1968

SUBJECT.—Order for cancellation of import licence No. P/EI/0109239 dated the 12th December 1966 issued to M/s. Poona Watch Co., Laxmi Road, Poona-2.

S.O. 768.—M/s. Poona Watch Co. Laxmi Road, Poona-2 were granted an Import Licence No. P/EI/0109239 dated the 12th December 1966 for Rs. 394 for import of Parts of Watches under S. No. 308(d)-IV for licensing period AM. 67. They have not received the said licence as reported by them without utilising the same.

I am satisfied that the Licence No. P/EI/0109239 dated the 12th December 1966 has been lost or misplaced. Since the validity of the said licence has already expired, I direct that a fresh Licence No. P/EI/0118981 dated 7th February 1968 should be issued to the applicant. The original Licence No. P/EI/0109239 dated the 12th December 1966 is cancelled.

[No. 308(d)IV/19/AM-67/L-2.]

I. R. KAKAR,

Dy. Chief Controller of Imports & Exports,
for Jt. Chief Controller of Imports & Exports.

(Office of the Dy. Chief Controller of Imports and Exports)

Bombay, the 8th January 1968

SUBJECT.—Order of Cancellation of Import Licence No. P/EI/0108326 dated 19th October 1966 issued to M/s. The Mill Store Co., 43 Nagdevi Cross Lane, Bombay.

S.O. 769.—M/s. The Mill Store Co. Bombay-43, Nagdevi Cross Lane, Bombay, were granted an Import Licence No. P/EI/0108326 dated 19th October 1966 for Rs. 851 for the import of Motor Vehicle Parts Nos. as per A.M. 67 Policy Book under S. No. 293.95.97-IV for the licensing period April 1966/March 1967. They have applied for a duplicate Customs Copy of the licence on the ground that the original Customs Copy of the licence has been lost or misplaced. It is further stated that the original Customs Copy of the licence was registered at Bombay Customs House and was utilised for Rs. 687 leaving a balance available as Rs. 164 their said licence.

2. In support of this contention the applicant has filed an affidavit on stamped paper duly attested before the Registrar and Presidency Magistrate Esplanade Bombay. I am satisfied that the original Customs Copy of Licence No. P/EI/0108326 dated 19th October 1966 has been lost or misplaced and hereby direct that a duplicate Customs Copy of the licence should be issued to the applicant. The original Customs Copy of the Licence No. P/EI/0108326 dated 19th October 1966 is cancelled.

[File No. 293-95-97-IV/811/MVP/AM. 67/L. 3.]

I. R. KAKAR,

Dy. Chief Controller of Imports & Exports.

(Office of the Chief Controller of Imports and Exports)

ORDERS

New Delhi, the 22nd February 1968

S.O. 770.—In exercise of the powers conferred by clause 9 of the Imports (Control) Order, 1955, dated 7th December, 1955, as amended from time to time, the undersigned hereby cancels Customs Clearance Permit No. G/CC/2336173/N/YY/25/C/H, dated 29th June 1967 (unutilised) valued at Rs. 2,211 for import of 1 Set of UNC and 1 Set of UNF dies falling under Part VI of I.T.C. Schedule issued in favour of M/s. Alfred Herbert India Pvt. Ltd., Calcutta.

The reason for cancellation is that the firm has supplied the goods to the D.G.S&D., New Delhi without utilizing the above Customs Clearance Permit.

[No. 125-A/Cont./66-67/GLS/1003.]

New Delhi, the 23rd February 1968

S.O. 771.—In exercise of the powers conferred by clause 9 of the Imports (Control) Order, 1955, dated 7th December, 1955, as amended from time to time, the undersigned hereby cancels both the Customs Purpose Copy and Exchange Control Purpose Copy of Import Licence No. G/RC/2085400/R/IA/22/C/H/21-22, dated 6th November 1965 (un-utilised) for the import of Steel Cylinders for Carbon Dioxide Gas for Rs. 5,700 issued in favour of M/s. The Industrial Gases Ltd., Calcutta. The reason for cancellation of this licence is that the licensee who was given a contract by the Chittaranjan Locomotive Works for supply of these Steel Cylinders, through Commercial channels from abroad, had failed to supply the goods inspite of repeated extension of the delivery date given and thus committed a breach of the contract.

[No. 58-I/Rly/65-66/GLS/1009.]

S. A. SESHAN,

Dy. Chief Controller of Imports & Exports.

MINISTRY OF HEALTH, FAMILY PLANNING AND URBAN DEVELOPMENT

(Department of Health)

New Delhi, the 19th February 1968

S.O. 772.—The following draft of rules further to amend the Drugs and Cosmetics Rules, 1945, which the Central Government proposes to make, after consultation with the Drugs Technical Advisory Board, in exercise of the powers

conferred by sections 12 and 33 of the Drugs and Cosmetics Act, 1940 (23 of 1940), is published as required by the said sections for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 10th May, 1968.

2. Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Rules

1. These rules may be called the Drugs and Cosmetics (Amendment) Rules, 1968.

2. In rule 96 of the Drugs and Cosmetics Rules, 1945, after sub-rule (1), the following sub-rule shall be inserted, namely :—

“(1A) The following further particulars shall be either printed or written in indelible ink and shall appear in a conspicuous manner on the label of the inner container and on the outer packing of every contraceptive, namely —

- (i) the date of its manufacture;
- (ii) the date up to which the contraceptive is expected to retain its properties;
- (iii) the storage condition necessary for preserving the properties of the contraceptive to the date indicated in clause (ii).”

[No. F. 1-6/65-D.]

S.O. 773.—In exercise of the powers conferred by clause (p) of sub-section (1) of section 8 of the Indian Ports Act, 1908 (15 of 1908) the Central Government hereby makes the following rules further to amend the Indian Port Health Rules, 1955, the same having been previously published as required by sub-section (2) of Section 6 of the said Act, namely :—

1. These Rules may be called the Indian Port Health (Second Amendment) Rules, 1968.

2. In the Indian Port Health Rules, 1955,

(1) in sub-rule (1) of rule 4,

(a) after the words “wireless message, embodying”, the words “all items of information of Pratique Messages in Plain Language set out in the Note below and” shall be inserted;

(b) in the NOTE—

(i) for the words, “items of the Standard Quarantine Messages” the words “Pratique Messages in Plain Language and Standard Quarantine Messages” shall be substituted;

(ii) after the words “reproduced below :—” the following shall be inserted, namely :—

“PRATIQUE MESSAGES IN PLAIN LANGUAGE :

1. My Maritime Declaration of Health has negative answers to all health questions

or

My Maritime Declaration of Health has a positive answer to question (indicated by complements).

2. Called at or not called at any port in Ethiopia, Somalia, Kenya and Tanzania and any port from northern-most point of Senegal to Southern-most point of Angola in West Coast of Africa within 30 days.

3. Have or have not monkey on board.

4. Have or have not any person on board embarking at Aden or Djibouti.”

(2) in sub-rule (1) of rule 28, for the words “to India” at both the places where they occur, the words “to any Indian port other than a port specified by the Central Government under rule 18” shall be substituted;

(3) to sub-rule of rule 57, the following proviso shall be added, namely :—

“Provided that the Health Officer may permit a ship to leave an Indian port not approved for the purpose of issuing a Deratting Certificate or Deratting Exemption Certificate, for another port in or outside India, notwithstanding that the master of the ship is not in possession of any such certificate.”

[No. F. 25-1/67-III.]

S. P. JINDAL, Under Secy.

DEPARTMENT OF COMMUNICATIONS

New Delhi, the 19th February 1968

S.O. 774.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Overseas Communications Service Employees' Contributory Provident Fund Rules, 1964, namely :—

1. (1) These rules may be called the Overseas Communications Service Employees' Contributory Provident Fund (Amendment) Rules, 1968.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Overseas Communications Service Employees' Contributory Provident Fund Rules, 1964, after rule 16, the following rule shall be inserted, namely :—

“16-A. *Conversion of an advance into a withdrawal.*—A subscriber who has already drawn or may draw in future an advance under rule 15 for any of the purposes specified in sub-clauses (a), (b) and (c) of sub-rule (1) of rule 16, may convert, at his discretion by written request addressed to the Accounts Officer through the sanctioning authority, the balance outstanding against it into a final withdrawal on his satisfying the conditions laid down in rule 16.”

[No. 3-OC(28)/67.]

S. S. PRUTHI, Under Secy.

(P. & T. Board)

New Delhi, the 22nd February 1968

S.O. 775.—In pursuance of para (a) of Section III of Rule, 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627, dated 8th March, 1960, the Director General of Posts and Telegraphs hereby specifies the 1st April 1968, as the date on which the Measured Rate System will be introduced in Anantnag Telephone Exchange.

[No. 5/25/67-PHB.]

D. R. BAHL,

Assistant Director General (PHB).

संचार विभाग

(डाक-तार बोर्ड)

नई दिल्ली 22 फरवरी, 1968

एस० ओ० 776.—स्थायी आदेश क्रमसंख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये 1951 के भारतीय तार नियमों के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने अवतनाग टेलिफोन केन्द्र में 1-4-68 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-25/67-पी० एच० बी०]

डी० आर० बहल,

सहायक महानिदेशक (पी० एच० बी०)

MINISTRY OF WORKS, HOUSING AND SUPPLY

(Department of Works and Housing)

New Delhi, the 24th February 1968

S.O. 777.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958), the Central Government hereby appoints the officers mentioned in column 1 of the table below, being gazetted officers of Government, to be estate officers for the purposes of the said Act who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act, within the entire Union Territory of Delhi in respect of the premises specified in the corresponding entries in column 2 of the said table.

THE TABLE

Designation of officers (1)	Categories of public premises and local limits of jurisdiction (2)
1. Additional District Magistrates, Delhi.	(a) Premises belonging to, or taken on lease or requisitioned by, or on behalf of, the Central Government which are under the administrative control of Delhi Administration.
2. All Sub-Divisional Magistrates, Delhi.	(b) Public Premises in the Union territory of Delhi except such of them as are under the administrative control of other estate officers.

[No. F. 21011(4)/68-Pol.]

V. P. AGNIHOTRI, Dy. Secy.

MINISTRY OF EDUCATION*New Delhi, the 22nd February 1968*

S.O. 778.—In exercise of the powers conferred by clause (a) of Sub-Section (2) of Section 5 of the University Grants Commission Act, 1956 (3 of 1956), the Central Government hereby appoints Prof. V. K. Gokak, Vice-Chancellor, Bangalore University, as a member of the University Grants Commission vice Nawab Ali Yavar Jung, who has ceased to be the Vice-Chancellor of Aligarh Muslim University. Prof. Gokak will hold office till 14th January, 1972.

[No. F. 9-1/68-U2.]

P. D. SHUKLA,

Joint Educational Adviser.

OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION*New Delhi, the 20th February 1968*

S.O. 779.—In pursuance of sub-rules (1) and (2) of Rule 78 A of the Aircraft Rules, 1937, and in supersession of Notification No. S.O. 4658 published in the Extraordinary Gazette of India on 25th December, 1957, the Director General of Civil Aviation hereby notifies the area specified in column (1) of the Table below for the purposes of the said sub-rule (1) and specifies the amount mentioned in the entries in column (2) or (3) thereof as the amount on the payment of which a single entry ticket or a seasonal entry ticket, as the case may be, may be obtained for entry into the said area.

TABLE

Description of Area	Amount payable for each single entry ticket	Amount payable for each seasonal entry ticket on		
		Monthly basis	Quarterly basis	Half-yearly basis
(1)	(2)	(3)		
	Rs.	Rs.	Rs.	Rs.
International & domestic passenger booking halls and lounges and the enclosures appertaining thereto in the Government Aerodrome at Palam (Delhi)	1.00	30.00	90.00	180.00

2. This Notification shall come into force with effect from *1st March, 1968*.

[No. 15/32/66-SI.]

B. M. GUPTA

Director General of Civil Aviation.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 20th February 1968

S.O. 780.—Omitted.

S.O. 781.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factory in an implemented area, exempts the Assam Government Branch Press, Gauhati, from the payment of the employer's special contribution leviable under Chapter VA of the said Act, for a further period of one year with effect from the 1st March, 1968.

[No. F. 6(14)/68-HI.]

S.O. 782.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 31st March, 1968 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Gujarat, namely:—

- (i) Municipal limits of Nadiad town, Taluka Nadiad, District Kaira;
- (ii) Dabhan village of Nadiad Taluka, District Kaira;
- (iii) Kamla village of Nadiad Taluka, District Kaira.

[No. F. 13(4)/68-HI.]

New Delhi, the 22nd February 1968

S.O. 783.—In pursuance of clause (d) of sub-section (1) of section 3A of the Coal Mines Provident Fund and Bonus Schemes, Act, 1948 (46 of 1948), read with sub-paragraph (1) of paragraph 9 of the Coal Mines Provident Fund Scheme, the Central Government hereby appoints the Commissioner of Labour, Andhra Pradesh, as a member of the Board of Trustees *vice*, Shri Bharat Chand Khanna, and makes the following amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2451, dated the 17th July, 1967, namely:—

In the said notification, for the existing entry against serial number 9, the following entry shall be substituted, namely:—

“The Commissioner of Labour, Government of Andhra Pradesh, Hyderabad.”

[No. 4(5)/67-PF-I.]

S.O. 784.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government having regard to the location of the factory in an implemented area, hereby exempts the Bus Depot at Polsar, Kandivli (West) Bombay, belonging to the Bombay Electric Supply and Transport undertaking, from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 20th February, 1968.

[No. F. 6(16)/68-II.]

New Delhi, the 23rd February 1968

S.O. 785.—In exercise of the powers conferred by sub-section (2) of section 5D of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation, Department of Labour and Employment No. S.O. 3863, dated the 18th October, 1967, the Central Government hereby appoints Shri U. M. Patni as Regional Provident Fund Commissioner, for the whole of the State of Rajasthan to assist the Central Provident Fund Commissioner in the discharge of his duties *vice* Shri Devki Nandan.

[No. 17(63)/64-PF-I(i).]

S.O. 786.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation, Department of Labour and Employment No. S.O. 3864, dated the 18th October 1967, the Central Government hereby appoints Shri U. M. Patni to be an Inspector for the whole of the State of Rajasthan for the purposes of the said Act and any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a Railway Company, a major port, a mine, or an oil field or a controlled industry.

[No. 17(63)/64-PF-I(ii).]

S.O. 787.—In exercise of the powers conferred by sub-section (2) of section 5D of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 197, dated the 5th January, 1968, namely:—

In the said notification, after the words “the State of Madras”, the words “and the Pondicherry” shall be inserted.

[No. 17(95)/66-PF-I(ii).]

DALJIT SINGH, Under Secy.

(Department of Labour and Employment)

New Delhi, the 20th February 1968

S.O. 788.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following Scheme further to amend the Madras

Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, the same having been previously published as required by the said sub-section, namely:—

1. This Scheme may be called the Madras Unregistered Dock Workers (Regulation of Employment) First Amendment Scheme, 1968.

2. In the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, in clause 2 the following words shall be added at the end, namely:

“and to ensure efficient performance of work by the said workers.”

[No. 531/8/65-Fac. II.]

K. D. HAJELA, Under Secy.

(Department of Labour and Employment)

New Delhi, the 20th February 1968

S.O. 789.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to Bombay Port Trust, Bombay, and their workmen, which was received by the Central Government on 16th February, 1968.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE NO. CGIT-21 OF 1965

PARTIES:

Employers in relation to the Bombay Port Trust, Bombay.

AND

Their workmen represented by the Bombay Port Trust Employees' Union, Bombay.

PRESENT:

Shri A. T. Zambre, Presiding Officer.

APPEARANCES:

For the employers.—Shri R. K. Shetty, Deputy Legal Adviser, Bombay Port Trust.

For the workmen.—Shri S. K. Shetye, General Secretary, Bombay Port Trust Employees' Union, Bombay.

STATE: Maharashtra.

INDUSTRY: Ports and Docks.

Bombay, the 30th January 1968

AWARD

The Government of India in the Ministry of Labour and Employment have by their order No. 28/7/65-LR-IV, dated 8th March, 1965, referred to this Tribunal an industrial dispute between the employers in relation to the Bombay Port Trust and their workmen represented by the Bombay Port Trust Employees' Union in respect of the matters contained in the following schedule:—

SCHEDULE

“Whether there is any justification for posting on a Canadian or a Henschel Diesel Loco any workmen in addition to a driver in the operation of such a loco and if so, how many and in what categories?”

If not, whether there is any justification for the grant of any additional payment to a loco driver any of the above locos, and if so, the quantum of such additional payment and the date from which it should be made?”

2. The employers, the trustees of the Port of Bombay own large estates consisting of immovable properties situated on the foreshore of Bombay. They have got their own Railway system known as the B.P.T. Railway which runs along the 20 square miles area on the eastern shore of the island and serves the docks, the sheds, the bunders and various other estates right from Ballard Pier to Wadala. The Bombay Port Trust carries on various activities and though the railway

comprises only 7½ miles on the straight run it expands into a cobweb like net work of railway siding of 150 miles of track. The railway has in all about 43 loco engines including 23 steam engines and 20 diesel engines of which 10 are of Henschel make and the remaining 10 of Canadian make. Each steam engine is manned by two employees a driver and a fireman whilst the diesel engine is run only by the driver and there is no fireman or any greaser assisting him.

3. The Bombay Port Trust Employees' Union, representing the workmen, have alleged that the B.P.T. Railway deals not only with the imported traffic ranging from an ordinary paper pin to the modern-most sophisticated electric locomotives but with a number of indigenous commodities like coal, foodgrains, salt, pulses, vegetable oils etc., so vitally connected with the day to day needs of life. The B.P.T. Railway handles over 4 million tonnes of traffic every year or about 54 per cent of the terminal goods traffic of Bombay and the freight earnings collected for the main line railway aggregate to over Rs. 13½ crores a year.

4. They have contended that the working of the B.P.T. Railway is superior to that of the State Railway. It has got a specialised and complicated working which call for special skill, vigilance, alertness and efforts on the part of the staff. It is alleged that the tempo of the work, the work on open roads and thoroughfares and in busy docks, the large number of points and crossings, the serious additional responsibility, disadvantage in service conditions and the long hours of night work are the special features of the Bombay Port Trust Railway and as the loco drivers in charge of the diesel locos are not provided with firemen or greasers as in the Government Railways the duties and responsibilities of the drivers operating Canadian or Henschel diesel locos have been considerably increased and they have to shoulder additional responsibility and risks. It has been contended that in the absence of the help of either a greaser or fireman the working on the diesel locomotives has seriously affected the health of many of the loco drivers during the last 7/8 years. Many drivers have lost their eyesight whereas many have died of T.B. or are suffering from T.B. and the management should post on the Canadian and Henschel Diesel Locos either a fireman or a greaser in addition to a driver in the operation of such engines. In the alternative it has been contended that if it is not possible to post an additional workman the drivers should be granted a special pay of Rs. 200 per month.

5. The employers have opposed the demand of the workmen and have contended that they had introduced the diesel locomotives on the railway system in the year 1957. First they purchased 10 Henschel locomotives which were received in the year 1957 and since that time they are being operated only by one driver. In the year 1961 they supplemented the fleet of the diesel locomotives by the purchase of 10 Canadian locomotives under the Colombo Plan and these locomotives have also been operated with only one man. The practice of operating the engine by one man is being tried out for the past over ten years. No difficulty has been experienced either from the operational or maintenance standpoint and the posting of an additional man on the diesel locomotive either as a fireman or a greaser would be uneconomical and unnecessary and would only amount to "too many cooks spoiling the broth." The loco drivers have been in a position to work without the assistance of a greaser or a fireman on the locomotives for the last ten years without any difficulty or complaint. The demand is unjustified and the real demand itself under the guise of an additional man is the demand of payment of a special allowance to the drivers.

6. The reference has been further resisted on the technical grounds that the union had made identical demands before the Committee for Classification and Categorisation of Class III and Class IV employees of major ports appointed by the Government of India in the year 1958 (hereinafter referred to as the Jeejeebhoy Committee) which had carefully considered the duties and responsibilities of the loco drivers and had rejected the demand of the union. It has been further contended that the same union after being dissatisfied with the recommendations of the Jeejeebhoy Committee had alleged that there were anomalies in the recommendations of the Committee and had raised further dispute which was referred to the Industrial Tribunal in Ref. IT-CG No. 1/63 and 5/64 and the union had demanded a special pay of Rs. 190 per mensem per driver for working on the diesel locomotives without the assistance of a greaser or fireman. The Hon'ble Shri M. R. Meher who was the Industrial Tribunal in respect of the above two references after considering the duties and responsibilities of the drivers had rejected the demands of the union and the present reference is barred under the principles of *res judicata*.

7. It has been further contended that after the decision of the Tribunal in the above two references the union being dissatisfied with the findings of Shri M. R. Meher had preferred appeals to the Supreme Court of India in Special Leave Petitions Nos. 1309 and 1310 of 1965 which have been admitted and the Supreme Court is now seized of all the disputed questions. The Government of India have also appointed a Wage Board for the Port and Dock workers of major ports which has been directed to determine the categories of employees and for working out a wage structure based on the principles of fair wages. The union has made representations before the Wage Board which is seized of all the matters and in view of the appeals and the proceedings before the Wage Board the reference is bad and the union should be precluded from agitating the question regarding the loco drivers before this Tribunal and the same should be dismissed.

8. It is not in dispute that the Bombay Port Trust Employees' Union had among the cases of the various workers represented the case of the loco drivers of the B.P.T. Railway before the Jeejeebhoy Committee and before Shri Meher in Ref. ITCG-5 of 1964. It has been observed in the Report of the Jeejeebhoy Committee paragraph 16 that as each category or a group of categories came up for consideration the Committee carefully examined the duties and responsibilities of the posts and decided into which scale the particular category could be appropriately fitted and it would appear from entry No. 280 in the schedule that the loco drivers have been fixed at Rs. 80-5-120-EB-8-160-10-180 from Rs. 90-5-150-EB-7½-172½ and practically no change was recommended by the Committee.

9. Similarly it will appear from the Meher Award in Ref. ITCG-5 of 1964 that the loco drivers were not given any allowance and the learned Tribunal observed:—

"In the result the demand for running allowance is without merit and is rejected."

Thus neither the Jeejeebhoy Committee nor the Meher Tribunal thought it fit to put the loco drivers in a higher scale of pay and the question is whether by the decision and recommendations the present reference is barred.

10. In support of their contentions the employers have produced some documents from the proceedings before the Jeejeebhoy Committee and Ref. ITCG-Nos. 1 of 1963 and 5 of 1964. From the proceedings of the Committee they have produced (1) Extract of page 82 of the statement of claim of the B.P.T. Employees' Union (exhibit E-10) and the extract of the record of the proceedings exhibit E-11. The extract of the written statement of the B.P.T. is at ex-E-9. Similarly the copies of the extracts of the documents from the proceedings in References Nos. IT-CG 1 of 1963 and 5 of 1964 are at exhibit E-2, E-3 and exhibit E-15. It appears from the record that before the Jeejeebhoy Committee the union had compared the working of the loco drivers of the B.P.T. Railway with the drivers employed in Government Railways. They had contended that the loco drivers in the Government Railways were provided with firemen or greasers while the loco drivers on the diesel engines of the B.P.T. Railway had no assistance of a greaser and as a result his duties and responsibilities had increased considerably and the B.P.T. driver was entitled to a higher scale or special pay. The proceedings also show that there was discussion about equating the loco drivers of the B.P.T. to the shunter driver or the open line engine driver and the learned Deputy Legal Adviser of the Bombay Port Trust has argued that the point regarding the necessity of the assistance of a fireman or a greaser has been already decided by the Committee and Shri Meher and it cannot be re-agitated by the union again before this Tribunal as the same is barred by *res judicata*.

11. The learned Deputy Legal Adviser of the Bombay Port Trust has invited my attention to the ruling reported in 1957 1 LLJ page 228 (Burn and Company Ltd., and their employees) in which it has been observed:—

"No doubt the Industrial Disputes Act does not contain any provisions under which an award could be re-opened. But it could not be contended that an award given on a matter in controversy between the parties after full hearing ceases to have any force if either of them terminates it under section 19(6) of the Industrial Disputes Act and that the Tribunal has no option when the matter is again referred to it for adjudication but to proceed to try it *de novo* traverse the entire ground once again and come to a fresh decision. That would be contrary to the well established principles that a decision once rendered by a competent authority on a matter in issue between the parties after a full enquiry should not be permitted to be re-agitated. It is on this principle that the Rule *Res Judicata* enacted in S. 11 of the Civil Procedure Code is based. That section is no doubt in terms inapplicable to the decisions of Industrial Tribunals but the principle underlying it expressed in the *maxim interest rei publicae*

ut sit finis litium is founded on sound policy and is of universal application. Now there are good reasons why this principle should be applicable to decisions of Industrial Tribunals also."

I do not think that the ruling will be applicable to the facts of the present case. The Jeejeebhoy Committee was appointed under Government of India Resolution dated 23rd August, 1958, for classification and categorisation of the class III and class IV posts in the major ports of Bombay, Calcutta, Madras, Cochin, Kandla and Vizagapatam and to fit into one or either of the scale of pay given in the schedule attached to the Resolution. It is clear that the Committee was to consider the duties and responsibilities of the employees of a particular group and fit them into one of the scales mentioned in the schedule. The union may have pressed before the Committee the difficulties experienced by the workmen while operating loco engines and demanded higher scales. However, the Committee was to decide whether the employees were entitled to a higher scale. There was no question whether for running the train with safety and security and for carrying out the duties assigned to the loco drivers efficiently it was necessary to post either a fireman or a greaser for his assistance. The Committee members are not supposed to apply their mind to this aspect of the demand and it cannot be said that the matter is previously decided.

12. The General Secretary of the union has invited my attention to paragraph 25 of the Jeejeebhoy Committee's Report which states:—

"The Committee had before it the question whether the extraneous benefits given by the Indian Railways which are not all given by the Port Railways would justify a higher scale of pay for the Port Railway employees. The Committee however has taken the view that the terms of reference contained in the Government Resolution constituting the Committee are precise and that extraneous benefits are not to be calculated for the purpose of fixing particular categories into particular scales."

This shows that the Committee has not also applied its mind to the demand made by the union regarding the extraneous benefits to be given to the loco drivers because of the heavy responsibilities they had to carry out. The Committee had not the necessary competence to decide the present issue and there is no question of the application of the principles of *res judicata* to the present reference.

13. The workmen had represented that the recommendations of the Jeejeebhoy Committee had created anomalies and subsequently the matter was referred to the Industrial Tribunal in References Nos. 1/63 and 5/64. In Reference No. 1/63 the issue referred for adjudication was whether there were anomalies in regard to any of the pay scales recommended by the Jeejeebhoy Committee and if so what modifications should be made in the scale of pay. Both the union and the employers had by pursis before the Industrial Tribunal in Ref. No. 1/63 framed an issue regarding items 85 and 86 of the list of categories about loco firemen and loco drivers and requested the Tribunal to give an award about that issue. Exhibit E-1 will show that the issue referred to the Hon'ble Shri Meher was:—

"In view of the fact that the running staff on the State Railways are in receipt of a running allowance which also to a specified extent constitutes a part of their pay, whether the running staff on the B.P.T. Railway with comparable duties and responsibilities should get a running allowance; if so whether the relief should be in the form of a higher pay scale or in the form of running allowance and in the latter case at what rates and to what extent should it be treated as pay."

This issue of the above reference itself will show that the question referred to the Hon'ble Shri Meher was in respect of allowances. There was no question of posting a fireman or greaser to assist the loco driver and it cannot be said that the question has already been decided. In fact the B.P.T. had raised an objection regarding the jurisdiction of the Tribunal. In their written statement Exhibit E-3 they have contended:—

"In any case the employers respectfully submit that the question whether a greaser or any other assistant should be provided on a diesel loco or not is purely an administrative matter and cannot be agitated by the union before this Hon'ble Tribunal in the present reference."

14. The demand of the drivers for special pay or allowance was rejected and the union has preferred an appeal to the Hon'ble Supreme Court. The issue in the appeal will also be the same whether the drivers are entitled to the pay or

allowance. However these proceedings will not come in the way of the present demand of the drivers as the issues are quite different. The controversy before the Jeejeebhoy Committee and before Shri Meher was on a different question. The jurisdiction of both the authorities was restricted to the issues referred to them and the contention that the present reference is barred by *res judicata* cannot be accepted.

15. It is not in dispute that the Bombay Port Trust Employees' Union has represented the grievances of the loco drivers before the Wage Board for the Port and Dock Workers which has been set up to work out a wage structure based on the principles of fair wages and to determine the categories of employees who should be brought within the scope of the proposed wage fixation. The employers have produced at exhibit E-4 the extract of the questionnaire issued by the Board and it appears that the Board has made enquiries about the duties and responsibilities of the various categories of the employees. However, this Board also will not go into the question about the necessity of appointing a fireman or greaser to help the loco drivers and it is not understood how the union can be precluded from agitating the question in the Tribunal simply because the Wage Board is to fix the wages of the employees including the loco drivers on the principles of fair wages. There is no substance in the technical objections raised and I shall now discuss the evidence and circumstances to find whether the demands of the workmen—the diesel loco drivers—for posting a fireman or a greaser on the Canadian or a Henschel loco is justified.

16. As regards the merits of the demand the learned Deputy Legal Adviser of the Bombay Port Trust has argued that the B.P.T. Railway is a small unit and can be compared with the old tramways of Bombay. The speed of the B.P.T. Railway trains is very slow and mostly shunting work is carried out. In the working of the diesel engine there is no necessity of a fireman as in steam engines as no power is required to be generated with the help of fire. The driver of the diesel engine besides operating the hand wheel has to attend to further instruments while the engine is running and there is no necessity of an assistant or greaser. It has been further argued that the diesel engines had been introduced by the B.P.T. in the year 1957 and since then the engine is manned only by one person, no difficulty has been experienced and the drivers have made this demand with ulterior motives. It has been argued that the drivers of the diesel locos had represented their case for special pay before the Jeejeebhoy Committee and for a higher allowance before the Hon'ble Shri Meher. They had lost their case before the two authorities. The real demand is the additional remuneration and the same has been put forth in the guise of an additional helper.

17. In support of their contentions the Bombay Port Trust have examined one witness Shri Nadkarni who joined the B.P.T. as an assistant foreman. They have also produced extracts from the correspondence between the parties.

I have already observed that the Bombay Port Trust run their own railway. They have in all 43 locos out of which 23 are steam engines and 20 are diesel locos. The union has produced the Souvenir published by the employers at exhibit W-7 in which on page 12 it has been stated that the Port Trust railway serves the Docks and Depot and connects them with the main line Railway by means of a large interchange yard at Wadala. Over 214 kilometers of track have been laid and the railway handles over four million tonnes of traffic every year or about 54 per cent of the terminal goods traffic of Bombay. The freight earnings collected for the main line railway aggregate to over Rs. 134 crores per annum.

18. This shows the volume of work and extent of the business carried on on the B.P.T. Railways. On the last page of the souvenir there is a photo of the railway marshalling yard at Wadala which gives an idea about the number of tracks and the area and the extent of the railway. The affidavit of Shri Nadkarni shows that there are nine stations on the B.P.T. Railway viz., (1) Wadala Depot (2) Oil Depot (3) Stores and Coal Depot (4) Cotton Depot (5) Grain Depot (6) Manganese Depot (7) Panton Bunder and Liquid Fuel Depot (8) Victoria Dock and (9) Alexandra Dock. Shri Nadkarni has stated in his cross-examination that there was a working order regarding speed limit for shunting and the main line working and the maximum limit for main line is 20 miles per hour. He has further stated:—

“There are nine stations in the B.P.T. Railway. Time is fixed for the train for two stations. The time fixed for running from Alexandra to Wadala is 30 minutes. If a train does not run to that schedule we ask for the report and explanation of the driver.”

He has further stated that the signalling system in the B.P.T. main line railway is similar to the State Railway and considering the evidence the comparison of the B.P.T. Railway with the working of the old tramways of Bombay is in my opinion not proper. Shri Nadkarni has admitted that as far as he knew for certain purposes the B.P.T. Railway is the railway under the Indian Railway Act. His evidence further shows that the Port Railways co-operate with the main railway system and accept consignments in their own wagons for delivery over foreign railways.

19. The union has produced extracts from the report of Shri P. C. Chaudhari, I.C.S., at exhibit W-6 which shows that he had made a proposal for the absorption of the B.P.T. Railway into the Central Railway. He has stated (exhibit W-6):

"A comparison in terms of traffic is also of interest. The Bombay Port Trust Railway carried during the year 1955-56 nearly 4 million tons. The corresponding figures for the Railways in regard to Calcutta Port is 1.3 million tons and in Madras Port also 1.3 million tons. It is stated that the B.P.T. Railway handled during that year nearly 59 per cent of the entire rail-borne traffic in Bombay.

The Port Railways co-operate with the main Railways system and accept consignments in their own wagons for delivery over foreign railways. Thus functionally they act similar to the main railway systems. The Port Railways are also Railways within the meaning of the Indian Railways Act, 1890. The question naturally enough has arisen as to why the carriage of goods to and from the docks cannot be entrusted to the Indian Railway system as has been done for the operation of the Cochin Harbour Railway."

Considering these observations of Shri Chaudhari who had made an enquiry into the demands of the labour I do not think that it is worth any while to belittle the importance of the B.P.T. Railway by comparing it to the old tramways. Though much of the work carried on by the B.P.T. Railway consists of shunting with a low speed it can be compared to the working of the main railways especially in the yards. It has come in evidence that though at a straight run the railway is about $7\frac{1}{2}$ miles the whole track comes to about 150 miles. Though the work is similar to the work of the State Railways in the yard I do not think that there is any yard of the State Railway which would be as big in size complicated in its working and comparable to the Port Trust dock area which is about $7\frac{1}{2}$ miles long treated as a railway yard.

20. The B.P.T. Employees' Union has contended that the B.P.T. Railway has its own distinguishing feature and it reveals a specialised and complicated working of this railway and it calls for special skill, vigilance, alertness and efforts on the part of the staff including the drivers and the firemen. According to them the tempo of work, the work on open roads and thoroughfares and in busy docks, large number of points and crossings, serious risk and responsibility disadvantages in service conditions and long hours of night work are some of the special features of this railway. There is a great strain on the motor driver who is alone in the engine. The working on the diesel locos without the help of a greaser or a fireman has seriously affected the health of so many loco drivers and the present conditions do not ensure the safety, security and efficiency of the working and the help of a fireman or greaser on the engine is necessary.

21. I have already observed that the B.P.T. steam engine is manned by two persons—the driver and the fireman. It is not in dispute that in the diesel engine there is no boiler or power generating unit like a steam engine worked by firemen. In the diesel loco power is generated automatically and the question is whether the demand of the diesel loco drivers for the posting of an additional workman—a fireman or greaser—is justified.

22. The learned Deputy Legal Adviser on behalf of the management has invited my attention to the statement of the manufacturers in the book "Henschel Locomotives" (exhibit E-6):—

"The only manipulation necessary for the operation of this power unit on the run consists in regulating the fuel feed. The driver of the locomotive besides operating the hand wheel for the fuel feed has to attend no further controls nor instruments whilst the engine is running. Therefore, he can pay full attention to the track."

23. On the contrary the motor drivers have made a grievance about the various items of work they are required to perform while taking over charge of the engine and while operating it and neutralising and they have contended that for

carrying out all the duties there is an unduly great strain on one person. Shri Nadkarni has in his evidence admitted and stated—

“The driver has to watch the gear oil maximum temperature, cooling water maximum temperature engine lubricating oil temperature and engine lubricating oil pressure.”

He has admitted that he had issued instructions about the duties of the loco drivers. The union has produced the instructions at exhibit W-5. These instructions are given under the heads—

- (1) Before starting the engine for a new shift.
- (2) Starting the engine.
- (3) Operation of the locomotive.
- (4) Charging the air bottles.
- (5) General instructions.
- (6) Power on full load test.
- (7) General precautions, and
- (8) Stopping the locomotive and engine.

The instructions under the heading—No. 3 operation of the locomotive—are as follows:—

- (a) Release the brake.
- (b) Set the transmission lever in the ‘unlocked’ position.
- (c) Turn the control wheel to the right. The loco should start moving.
The control wheel should be turned slowly and not in fast and jerky movements.

- (d) When changing the direction apply the brake and bring the locomotive to a complete stand-still then move the lever of the reversing gear to the opposite direction. If the indicator lamp does not light up corresponding to the lever position the engine regulating hand wheel should be turned shortly to half the filling at the most and back.

- (e) Move the locomotive only when the indicator lamp lights up or you are sure that the lever of the reversing gear in the frame slot is in the end position.

- (f) During yard shunting work watch from time to time the instruments for temperature and pressure. If you observe any abnormal indications or you hear any abnormal sound report such matters at once to the Engineer-in-charge. The following temperatures and pressures are necessary in the working conditions:—

Gear Oil Max. temperature	212° F
Cooling water max. temperature	185° F
Engine lubricating oil temperature	158° F
Engine lubricating oil pressure	57 lbs p. s. k.

- (g) Shunting work should be carried out carefully. Do not try to test the buffer and buffer beam plates for their strength. From the driver's stand you have a good view of the buffer and there is therefore no need to give severe bumps.

- (h) When finishing the shift check the pressure in the starting air bottles.

Going through this list of instructions I do not think that the statement of the manufacturers which can be considered to be interested should be believed implicitly.

24. The Secretary of the Bombay Port Trust Employees' Union had requested this Tribunal to pay a visit to the B.P.T. railway track and the loco sheds. Accordingly, along with the parties I had seen the tracks and the working of the B. P. T. Railway. The workmen also showed what they are required to do before taking over charge of the engine. They also made a grievance about the difficulty they had to experience while handling the control and neutralising the engine for which purpose they are required to get down from the engine and had to handle some controls and to turn a lever for neutralising the engine. In the presence of us all at the time of the visit one driver showed us how they are required to neutralise the engine. The driver had actually to take a stone to beat the lever with it in order to neutralise the engine. It is not known what will be the condition of the other controls in the cabin when the driver is out on the ground.

25. The Secretary of the union has argued that for the engine driver to work alone on the engine is hazardous. He has contended that the driver is sometimes

required to leave the engine for giving a report to the higher officer. At that time the engine is unattended and the presence of an attendant is necessary. It is clear from the instructions exhibit W-5 that if the driver observes any abnormal indications or hears any abnormal sound he has to report such matters at once to the engineer-in-charge. Leaving the engine in the absence of a greaser or fireman would leave it unattended and in my opinion it cannot be considered to be safe. It cannot be ignored that the driver will also be required to leave the engine for other purposes such as natural calls, tea, etc. Shri Nadkarni in his affidavit has stated,—

"I say that there are canteens, tea-stalls and hotels in the vicinity of the aforesaid nine stations of the B.P.T. Railway. I further say that with the permission of their superiors while on operational duties the loco drivers on the steam locos and the diesel locos could go for a cup of tea, snacks and also to answer nature's call for a few minutes."

From this it is clear that the driver is sometimes required to leave the engine. In his absence there may also be a theft or some tampering with the machinery in the engine. The Secretary of the union has argued that some drivers were proceeded with departmentally as they had left the engines unattended. Shri Nadkarni has stated:—

"If a driver leaves the locomotive and a theft takes place then there will be an enquiry. The driver is expected to tell the police or somebody while leaving the engine. I cannot say if I have warned the three drivers one Mukund Dada, Pinto and Trambak Gopal for the missing of articles from the engine during temporary absence on the line."

Leaving aside the question about the theft etc., in case an engine is not properly neutralised leaving it unattended would be most dangerous. The Secretary has contended that a driver Shri Ajit Mubarak was proceeded with by the management as he had left the engine and he was suspended—

Shri Nadkarni has stated:—

"If a driver observes any abnormal indications or he hears any abnormal sounds he has to report to the Engine-in-charge. He should stop the engine and report. Driver has to leave the engine in such cases. It is correct to say that one driver Ajit Mubarak was suspended as the engine which was parked near the loco shed moved forward. He was suspended because after starting the engine he stopped the loco and went for urination leaving the engine. He did not put the locomotive in neutral position."

I have already discussed the circumstance how the drivers have experienced difficulties in putting the engine in neutral position and considering the circumstances and human limitations in my opinion the presence of a greaser or a helper in the engine will add to the safety and efficient working of the railway.

26. The learned Deputy Legal Advisor has argued that the B.P.T. Railway runs within the precincts of the B.P.T. which is a protected area. The main railway lines are also fenced and there is no danger if the engine is manned by only one person. It is further argued that at the time of the shunting in the yards the speed of the engine is very low. The driver is assisted by the bellman and other employees and there is no question of an accident. The management has also produced along with the affidavit of Shri Nadkarni a statement showing the number of accidents in which the steam and diesel locos were involved and it is submitted that during the last ten years since the introduction of the diesel engines the rate of accidents has not increased and there is no necessity of an additional fireman or a greaser in the diesel engine. In support of the B.P.T.'s contention Shri Nadkarni has stated in his affidavit paragraph 6 as follows:—

"The driver is otherwise free to have a look out for signals on his way. I say that the straight railway track from the Alexandra Dock to Wadala are fenced. I say that passers by are not permitted to walk on the railway tracks except at the level crossings where gates and gatemen are provided. I say that the dock area cannot be frequented by persons other than those who have legitimate business within the docks and also without the possession of a permit issued by the Port authorities. I say that the entire dock area is protected by walls."

He has further stated:—

"When the locomotive is required to cross intersecting railway lines a bellman is provided for warning vehicular traffic, and pedestrians of the approach of a train. I say that the bellman walks 5 to 10 yards

in front of the railway engine along the track in the direction of motion. I say that the shunting operations at such intersections are, carried out at a speed of not more than 3 miles an hour. I, therefore, say that there is no question of any hazard being caused either to the loco driver or to the vehicular traffic or to the pedestrians."

As regards accidents, he has stated:—

"I say that in large railway yards accidents such as derailments, side collisions etc., are not an uncommon occurrence and in such cases any number of men in the driver's cabin will not necessarily be able to prevent such an accident. Annexed hereto and marked exhibit "A" is a copy of the comparative statement showing the number of accidents to persons and to property caused by the steam locos where a driver and a fireman work together on the one hand and the diesel locos where the loco driver operates for the last four years."

"Thus by this evidence Shri Nadkarni has tried to depict a picture of the B.P.T. Railway showing that there is absolutely no risk or hazard and there is no necessity of an additional greaseman in the engine. Leaving aside my impressions about the B.P.T. Railway tracks and the picture seen during my visit, even if we examine the evidence of Shri Nadkarni which is full of material contradictions and inconsistent statements, we shall find that the claim of the management about safety and efficiency is a mere tall talk.

27. It is not disputed that the whole of the railway track is not fenced. At the time of the visit the Secretary of the Union has showed us the main lines without any fencing at various places and long stretches and a number of passers by were moving in the tracks at some places like school boys on the grounds. The fencing at some places consists of only pillars of the height of three feet through which one can easily enter the track and pass on to the other side. Though Shri Nadkarni has stated that passers by are not permitted to walk on the railway tracks and that the dock area cannot be frequented by persons without possession of a permit etc., the rules are in the books and his evidence has no value. The area is so crowded and the business activities are so intense that these restrictions are observed in the breach. The B.P.T. jurisdiction limits extend over an area of 20 square miles and during the day time the dock area is extensively frequented. In our visit we saw a large number of taxis, trucks, cars etc., freely moving about. A map of the railway produced by the employers will also show how the railway tracks are spread over. There are innumerable intersections and crossings and the suggestion by Shri Nadkarni by his evidence that passers by are not permitted and the dock area cannot be frequented by persons other than those to whom permits are issued and that the dock area is protected by walls and consequently there is safety and no necessity of an additional attendant in the engine cannot be accepted.

28. Shri Nadkarni the assistant foreman in charge of the loco shed has admitted that he has never worked as a driver. Though he has tried to suggest that there is no increase in the number of accidents due to the introduction of the diesel engines it is clear from his cross-examination that he has not given a correct picture about the position. In the year 1964 one of the diesel engine drivers had made a complaint about the working conditions and Shri Nadkarni had forwarded the complaint to the Additional Mechanical Superintendent. Shri Nadkarni in his deposition admitted—

"I have forwarded the complaint to the Additional Mechanical Superintendent. I have stated in this report the number of accidents to diesel locos owing to track infringement and side collisions have increased considerably and also damage to the engine and transmission to the overload being offered in contravention of working orders."

This shows that the statement attached by him with his affidavit and his version that there is no question of any hazard being caused by want of a greaser is not correct. On the contrary it shows that the number of accidents has increased. The Secretary of the B.P.T. Employees' Union has also drawn my attention to the report of the Estimates Committee 1965-66 page 53 in which it has been observed—

"The Committee are constrained to note the high incidence of derailment in the Bombay Port Trust Railway. They cannot too strongly stress the need for proper maintenance of the railway track and the rolling

stock within the port area. They suggest that the incidence of derailments may be reviewed at least once every quarter so that remedial measures can be taken.

This authentic report proves that comparatively there are more accidents in the B.P.T. Railway. There is greater risk and hazard and something needs to be corrected.

29. Regarding other matters also in his evidence Shri Nadkarni has made inconsistent statements. He has admitted that the B.P.T. loco drivers drive not only engines but trains and the trains are without guards. But he is unable to say whether the presence of the guard will reduce the responsibility of the loco driver. He has further stated:—

"I do not think that the absence of the guard in the B.P.T. trains adds to the hazard. I do not remember if I have stated before Shri Mehar that it adds to the hazard."

But when he was confronted with his previous statement made before Shri Mehar he has stated:—

"I am shown the copy of my deposition before Shri Mehar. In that deposition I have given a reply to that question in the affirmative. But I cannot say the circumstances under which I have given that reply."

30. It is an admitted fact that the duty hours of the B.P.T. drivers and firemen are not fixed. The drivers and firemen have made a demand about fixing their duty hours but when Shri Nadkarni was asked about it he first pretended ignorance and stated that he did not know if there was such a demand. But when he was confronted with the document exhibit W-1 he had to admit that they had made such a demand and that he himself had paid a visit to the Byculla Depot of the Central Railway along with the Secretary of the B.P.T. Employees' Union to ascertain the method of booking drivers there and has further added:—

"It is correct to say that after this demand for fixed working hours I have attended the conciliation proceedings sometimes."

There is no reason why Shri Nadkarni should make such inconsistent statements and it shows that he wants to favour the management. It is significant to remember that he was asked about the duty hours and work round the clock to which he stated:—

"I do not know whether the dock workers have to work round the clock." and further added

"I again say that dock workers are working round the clock".

About the hutment dwellers when he was asked he has stated:—

"There are no hutment dwellers on the main lines but a few in sidings." and has added

"It is correct to say that there are hutment dwellers between Sewree and Raoli junction crossing lines."

From these inconsistencies it is difficult to believe the evidence of Shri Nadkarni and it will not be safe to place any reliance upon his opinion about the posting of a workman on the diesel loco.

31. At the time of our visit we had entered the diesel engine. According to the arrangement in the cabin the driver operating the locomotive sits on one side near the window and the contention of the management that he can have a view of the front side and the right side can be accepted. However, while operating the machine it will not be ordinarily possible for him to look and see what is going on on the left side. I have already observed that in our visit we saw that the railway track is not a straight line. There are many curves and crossings and it is also not possible for the driver to see to the signals or anything near about the tracks at the curves. It is common knowledge that in the steam engine the fireman helps the driver in the lookout duties but as the diesel engine is manned by only one person there is a risk in its working and the presence of the greaser will help from the point of view of lookout duties and passing signals. It is not in dispute that the B.P.T. railway trains sometimes consist of 40 wagons. It is significant to remember that the B.P.T. trains have no guards and considering these circumstances and the safety point of view the demand of the drivers for the addition of an attendant is justified.

31. Leaving aside the lookout duties the circumstance that the loco drivers have no fixed hours of duty must be telling very much on their strain and health. Shri Nadkarni has admitted that the duty hours of the drivers are not fixed and their reporting time varies as the number of drivers available is varying. They are required to report round the clock even at night any part of the day or night. This shows that the drivers must be ready for duty at any time and this must be causing great strain on their energy and must be affecting the efficiency of their working which support their demand for a helper.

32. It is significant to note that on the main track as well as on the sidings there is a large number of hutments and the area is full of hutment dwellers. The tracks are frequented by a large number of people including men, women and children. The Secretary on behalf of the union has submitted that some of the hutment dwellers carry on the business of illicit distillation. They are goondas and for a driver to be alone in the engine is dangerous. It has been further argued that there are no fixed hours of duty for the drivers. They have to keep awake. They get exhausted and due to these conditions the necessity of an attendant even for lookout duties is necessary for avoiding accidents.

33. The learned Legal Adviser on behalf of the management has argued that the B.P.T. railway has introduced the diesel railway engines for the last ten years and the drivers are running the locos properly without the help of an attendant. It has been argued that no greaser or fireman has been posted along with the driver in the Canadian railways run by diesel engines and there is no necessity of a greaser in the B.P.T. railway diesel engine. The management has produced a copy of the Report of the Royal Commission on employment of firemen on diesel engines (exhibit E-8) and it has been argued that according to the result of the enquiry by this Commission the appointment of firemen on diesel locomotives in the yard and freight service is not necessary.

34. The Royal Commission was appointed to make an enquiry and solve the question:—

(A) "Are firemen required in diesel locomotives in yard and freight service of the Canadian Pacific Railway?"

and the reply of the Commission to this question is in the negative. However, considering all the aspects and the circumstances, I do not think that the result of the enquiry by the Royal Commission should influence my decision in the present case. It cannot be disputed that the working conditions in Canada and in Europe are quite different from the working conditions in India. I have already discussed the evidence about the B.P.T. Railway track, the crossings, the curves, the hutment dwellers and the fencing conditions. There is a world of difference in the sense of discipline observed in Europe, Canada and other countries. Moreover the diesel engines introduced by the B.P.T. railway are Henschel and Canadian make of 640, 440 and 320 H.P. It is not known as to what type of diesel engines were considered by the Royal Commission in their enquiry and whether the engines introduced by the B.P.T. will be covered by the enquiry. On page 1 of the Report they have mentioned:—

"The diesel rule, so far as material, reads as follows:—Ar II.

(f) A fireman or helper, taken from the seniority ranks of the firemen, shall be employed on all locomotives; provided that the terms "locomotive" does not include any of the following:—

(1) Diesel-electric, oil electric, gas electric, other internal combustion, steam electric, or electric of not more than 90,000 pounds weight on drivers in service performed by Yard Crews within designated switching limits.

(2) Electric car service operated in single or multiple units.

(3) Gasoline, diesel, electric, gas electric, oil electric or other rail motor cars which are self-propelled units (sometimes handling additional cars) but distinguished from locomotives in having facilities for revenue loading or passengers in the motor car except that rail motor cars installed subsequent to date of this agreement weighing more than 90,000 pounds on drivers, shall be a subject for negotiation between the company and the brotherhood of locomotive firemen and enginemen as to whether such units shall be classified as locomotives."

It will appear from the instructions of Shri Nadkarni at exhibit W-5 that the diesel engines utilised by the B.P.T. are hydraulic as the heading of the instructions is "Instruction for drivers on operation of Henschel Diesel Hydraulic locomotive" and it is not shown that the Commission had considered these hydraulic locomotives.

35. A reading of the report will also show that the engines considered by the Commission are equipped with dead man control. It further appears from the report that there is an arrangement for giving signals with the aid of radio and dual control and the opinion of the Royal Commission cannot be considered while deciding the question about the justification of the appointment of an assistant in the B.P.T. Railway diesel engine.

36. It is worthwhile noting that there is an additional workman in the diesel loco engines operated in the yard of the Central Railway and the system is in vogue since before. Shri Nadkarni the witness on behalf of the management has in his subsequent cross-examination admitted this fact. He has stated:—

“We had gone with Shri Gadre for making an enquiry about the working of the railway drivers. The visit was arranged after official correspondence was exchanged between the B.P.T. and the Central Railway. There is no question of revelation to us as far as I was concerned but it was revealed then that in the Central Railway Byculla yard there is an attendant besides the driver in the diesel engine. The Byculla yard is, 1½ miles.”

Thus in the engine operated by the Central Railway in India a greaser is helping the driver and considering the evidence about the Indian Railway I do not think that the opinion of the Commission should weigh with me in this question.

37. It is significant to remember that when the B.P.T. introduced the diesel engine in the year 1957 the Chief Engineer of the B.P.T. made definite recommendations that the management should engage fireman or greasers along with the drivers for manning the diesel engines. The management has produced a copy of the report of the Chief Engineer exhibit E-7 which contains a statement of his recommendations. On page 2 the Chief Engineer has stated—

“C Class II staff.

(i) Loco Drivers—(Rs. 90—5—150 --EB—7·50—172·50) 42 Loco Greaser—(Rs. 45·3·75—75).

42 loco drivers and 42 greasers inclusive of leave reserves and relievers for giving weekly offs will work in shifts allocated by the Railway manager. They will be responsible for operating the locos. There will be 1 driver and 1 greaser on each loco. 3 drivers will work in shifts in rotation under the supervision of the Chargeman. They will move locos about the shed and position them as required. It may be mentioned that the designation of loco fireman is not appropriate for the duties required to be performed by the assistant to the driver on the diesel locos where there are no fires to be attended. The driver's assistant will principally have to oil and grease the loco parts and generally assist the driver in the observance of signals. It is, therefore, necessary to alter this designation to that of loco greaser on the same pay as loco fireman.”

38. However, the Secretary of the B.P.T. did not accept this recommendation and hence the diesel engines were manned only by one person. The opinion of the Chief Engineer who is supposed to be an expert in the technical line is in my opinion more acceptable than the view of the Secretary who has no technical knowledge and might have based his opinion on other considerations. Considering the various duties to be performed by the driver and the precautions to be taken by him and the safety and the special circumstance and condition of the B.P.T. Railway I think the demand for the appointment of a fireman or greaser is justified. The working of the Canadian or Henschel local is the same. The management has not made out any different case about the working of the two types of engines. The difficulties experienced by the drivers on both these locos will be the same and the appointment of one workman in each of these diesel locos will in my opinion ease out the situation and will be justified.

39. The learned Deputy Legal Adviser on behalf of the Bombay Port Trust has invited my attention to some paras from the award of Shri Meher in Ref. IT-CG No. 5/64 and has argued that the appointment of one workman in these twenty engines will impose a heavy burden on the B.P.T. and the demand should not be accepted. I do not think that this aspect of the controversy is so much material when we consider safety and efficiency in the working. Moreover the financial condition of the B.P.T. is not unsound. The Secretary of the B.P.T. Employees' Union has read to me some paragraphs from the Report of the Estimates Committee 1965-66 which shows that compared to other Ports the rates of the B.P.T. are low and there is an urgent need to revise the same. However, financial condition should not come in the way of posting an additional man if such posting is necessary for other considerations.

40. The management had urged that the genuine demand of the drivers was not of an additional attendant on the engine but they wanted additional remuneration and the present demand was merely a cloak for that purpose. It has been argued that the drivers have been raising this question from the days of the Jeejeebhoy's Committee's Report and as they have not succeeded in their attempts they threatened the management and forced them to agree to this reference. I have already discussed the contentions raised by the union before the Jeejeebhoy Committee and before Shri Meher in Ref. No. 1/63 and 5/64. It is true that the drivers have made an alternative demand of a special pay of Rs. 200 but after going through these documents I do not think that the real demand of the workmen is for increasing their remuneration. In fact the addition of an attendant is their genuine demand and as Government had referred the question of remuneration to the Committee the workmen had made the demand for additional remuneration. It was an alternative demand made by a reckless mind to get something out of the proceedings.

41. Considering the record it appears to me that the demand of the presence of a greaser has been made by the drivers from the very beginning. This would be clear from the report of the Secretary of the B.P.T. who had rejected the recommendations of the Chief Engineer for the appointment of a greaser along with the driver. The Secretary in his report at exhibit -7 on page 4 has stated—

"With this development however 32 drivers will suffice, otherwise 40. We should strongly resist the demand for an additional man on the footplate. In most countries diesels in freight and yard service have only one man. So long as there is no retrenchment no one shall have a grouse and there will be no retrenchment."

This shows that there was a demand for an additional helper (an additional man on the footplate) from the beginning and the Secretary had planned to resist it.

42. I have quoted extracts of the written statement of the B.P.T. Employees' Union before the Jeejeebhoy Committee in which they have stated that the loco drivers in charge of diesel locos are not provided with firemen or greasers as are provided in the Government Railways. As a result the duties and responsibilities of the drivers have increased considerably. Therefore they should provide the firemen or in the alternative they should pay special pay.

43. It appears that even the management were aware that the real demand of the union was for an additional helper. The employers have along with the written statement produced a note of the Chairman regarding the grant of special pay to the drivers of Canadian Diesel Locos. It is at Appendix II—In para 1 of this note it has been stated—

"Ten Canadian Diesel Locomotives—3 of 640 H.P. each and 7 of 320 H.P. each were received by us under the Colombo Plan in June 1961. These locomotives could not however be put into operation because of the refusal by the loco drivers to operate them without an additional man on the footboard even though they have been driving for the past six years. * * *"

This shows that the Canadian Diesel locomotives were lying idle as the drivers refused to operate them without a helper and the contention that the real demand of the drivers is for additional remuneration and not for an additional helper does not deserve any consideration.

44. I have considered the evidence and have found that the demand of the drivers for posting on the Canadian and Henschel engine locos a workman in addition to the driver is justified. Whether the workman is called a fireman or a greaser or an attendant on the footboard will not make any difference. But in view of the circumstances prevalent in the B.P.T. Railway the crossings the curves, the area, the situation, the track, the tempo of business and work, the presence of the workman with the driver will be a great help in lookout duties and to avoid accidents. He will be also assisting him in the inspection while taking over the charge sometimes when necessary he will either take the report to the superior officer from the driver or will attend the engine if the driver is required to leave the engine. He will be also useful to the driver at the time of difficulties sometimes experienced while neutralising and handling difficult controls when the engine is not in motion. His presence will also reduce the strain on the driver and in my opinion the circumstance constitute sufficient justification for the posting on the Canadian and Henschel Diesel loco one workman who can be called a graser in addition to the driver in the operation of such a loco.

45. The Secretary of the B.P.T. Employees' Union has argued that in case the tribunal came to a conclusion that the demand of the drivers is held to be justified

as the management had not accepted the demand when it was made the drivers should be paid some compensation with retrospective effect. I do not think that I have got any jurisdiction to consider the question of payment of compensation to the drivers whose demand for a helper was not accepted by the management. According to the schedule the first item referred to me is whether there is any justification for the posting—of any workman—and the second is if not whether there is any justification for the grant of any additional payment. The second demand will arise only if the reply of the first question is in the negative. In view of my affirmative finding that there is justification for the posting on the Canadian and Henschel locomotives a workman in addition to the driver the question of the grant of an additional payment to the loco drivers driving the above locos does not arise and I have no jurisdiction to consider that question.

46 I have held that there is justification for the appointment of an additional workman on the diesel engines and that the drivers of the diesel locos are justified in making the demand for the posting on the Canadian or Henschel Diesel Loco a workman in addition to the driver and hence my award accordingly.

No order as to costs.

Sd/- A. T. ZAMBRE,

Presiding Officer,

Central Government Industrial Tribunal, Bombay.

[No. 28(7)/65-LRIV.]

New Delhi, the 22nd February 1968

S.O. 790.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi, in the Industrial Dispute between the employers in relation to the State Bank of India, New Delhi, and their workmen, which was received by the Central Government on 15th February, 1968.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI

PRESENT:

Shri Anand Narain Kaul, Central Government Industrial Tribunal, Delhi.

5th February, 1968

REFERENCE I.D. NO. 2 OF 1964

BETWEEN

The employers in relation to the State Bank of India

AND

Their Workmen

Shri K. Sawhney—for the Bank Management.

Shri N. C. Sikri and Shri K. N. Malhotra—for the Workmen.

AWARD

By S.O. dated 27th August 1964 the Central Government in the Ministry of Labour was pleased to refer to the Lucknow Industrial Tribunal, Shri J. K. Tandon, an industrial dispute existing between the employers in relation to the State Bank of India and their workmen in respect of the matters specified in the Schedule annexed to the order of reference. The matter so specified is as follows:—

- “(1) Whether the management of the State Bank of India was justified in discharging from service, Shri Dhuli Ram, Armed Guard of the Mawana Branch of the Bank with effect from 29th August, 1962?
- (2) If not, to what relief is the workman entitled?”

2. By a subsequent notification dated 7th October, 1964, the Central Government withdrew the proceedings in relation to the said dispute from the Industrial Tribunal, Lucknow and transferred the same to this Tribunal for adjudication

from the stage at which it was transferred. The parties filed their written statements before me and also rejoinders. In the light of the pleadings of the parties, the following issues were framed by me on 14th January, 1965 :—

- (1) Whether the individual dispute of Shri Dhuli Ram has not been espoused by an appreciable number of workmen of the establishment and has not been transformed into an industrial dispute?
- (2) and (3) as in the terms of reference.

3. Evidence was recorded on all the issues. On behalf of the management four witnesses have been examined in support of its case against the workman, Shri Dhuli Ram. On behalf of the workman, the employee concerned and the General Secretary of the sponsoring Association have been examined. A number of documents have been produced in evidence. I have heard the learned representatives of the parties at considerable length and proceed to dispose of the issues.

4. Issue No. 1.—This is an issue as to espousal of the dispute. Not a word of argument has been addressed on this issue by the learned representative, Shri V. Sagar and it may be safely presumed that he had nothing to say in support of the preliminary objection embodied in the issue. There is on record a resolution Ext. W/29 passed by the Mawana Unit of the State Bank of India Employees' Association at a meeting attended by six employees apart from the workman. Then there is a resolution Ext. W/30 passed by the State Bank of India Employees' Association, Delhi Unit, taking up the case of Shri Dhuli Ram at item No. 13. The espousal represented by Ext. W/29 appears to have been by an appreciable number of workmen and the one represented by W/30 is by a union of the workmen. There is, therefore, a sufficient espousal and the issue is decided in favour of the workmen and against the management.

5. Issues No. 2 and 3.—The facts of the case are that Shri Dhuli Ram, the concerned workman was employed as an Armed Guard in the Bank on March 1, 1949 and was confirmed on September 1, 1949. At the relevant time he was working as an Armed Guard at the Mawana Branch of the Bank. On the evening of March 21, 1961, Shri Dhuli Ram while relieving Shri Rai Singh another guard and taking charge of the Bank's gun and cartridges allegedly left his beat and physically man-handled and abused Shri Rai Singh and created an indecent scene. During the course of the fight with Shri Rai Singh, the gun had allegedly fallen to the ground and had been picked up by a boy from whom Shri Narain Singh, Havaladar guard had taken it but Shri Dhuli Ram allegedly snatched the gun from the Havaladar's hands and started loading it with the intention of using it against Shri Rai Singh. On receipt of this report later on by Shri Mehra, the Branch Agent, he conducted an on-the-spot enquiry and received written statements from a number of witnesses of the occurrence including Narain Singh, Havaladar Rai Singh, Risal Singh and some others. Shri Dhuli Ram allegedly refused to give any statement and behaved rudely towards Shri Mehra. Both Dhuli Ram and Rai Singh were, soon after the incident examined by Dr. Sunder Lal Malik and were found to have sustained on their persons various injuries as a result of the fight. A memo. was issued to Shri Dhuli Ram on March 22, 1961 setting out the gist of the report received by the Branch Incharge and asking him to state his own case. Shri Rai Singh also was given a similar opportunity. Dhuli Ram replied by a letter dated 5th April, 1961 whereby he sought to put the blame for the occurrence Shri Narain Singh and Shri Rai Singh and requested that the matter be enquired into. On June 12, 1961, the Bank served upon Shri Dhuli Ram a chargesheet bearing the said date and reading as under :—

"You are hereby required to show cause why disciplinary action should not be taken against you on the following charges :

- (a) That on the 21st March 1961 when Rai Singh, Guard handed over to you the charge of the Bank's gun and cartridges, you left your beat and physically man-handled and abused him and created an indecent scene on the Branch Premises.
- (b) During the course of your quarrel with Rai Singh the gun fell on the ground from your hands and it was picked up by a boy from whom Narain Singh, Havaladar guard took it.
- (c) You snatched the gun from the hands of the Havaladar Guard and opened it (the gun) with the intention of loading it and using it against Rai Singh.

(d) When the undersigned interrogated you, you misbehaved.

Your reply to the above charges should be submitted to the undersigned by the 27th June, 1961 and thereafter the Bank will decide what further action should be taken against you."

Shri Dhuli Ram submitted an explanation dated June 27, 1961 which is as follows—

"Whatever reply I had to give I have already given. I have nothing else to say in reply to this Memo"

6. The Bank decided to hold an enquiry and appointed Shri P. C. Mehra as the Enquiry Officer. On the conclusion of the enquiry, Shri Mehra gave his findings and found Shri Dhuli Ram guilty of all the charges contained in the chargesheet. On submission of the record of proceedings to him, the Superintendent, Staff Section, State Bank of India, Local Head Office, New Delhi gave a show-cause notice dated June 12, 1962 to Shri Dhuli Ram asking him why he should not be discharged without notice in terms of Paragraph 521(10)(c) of the Sastry Award. Shri Dhuli Ram asked for a personal hearing, which ultimately took place on July 17, 1962 and after considering the oral and written submissions of Shri Dhuli Ram, the Staff Superintendent confirmed the decision to discharge the workman without notice as already proposed. A payment order for Rs. 90.28 and 21.89 being the salary and allowances including arrears of annual increments was enclosed.

7. The Association's case is that the incident on March 21, 1961 took place because Shri Rai Singh had spoiled the gun with sugar cane juice and when Dhuli Ram asked Rai Singh to clean the gun, the former got annoyed and quarreled with him. Rai Singh was alleged to be a favourite of the agent and, therefore, a memo was issued against Dhuli Ram. According to the Association, the bank initially appointed D. L. Khanna as an Enquiry Officer but later on when the Branch Agent found that the enquiry was not to his liking, he himself became the Enquiry Officer by a memo, dated 24th February, 1962 signed by himself. According to the Association, he appointed himself as an Enquiry Officer. At the enquiry, the agent not only acted as an Enquiry Officer but also appeared as a witness. In short in the so-called enquiry, the agent acted as judge, as prosecutor as well as a witness and discharged all the three functions. As expected the Enquiry Officer gave his findings against Shri Dhuli Ram and relying on the findings discharged him from service. According to the Association, it is an act of victimisation against Dhuli Ram because the agent favoured Rai Singh.

8. Considering the nature of the departmental enquiry held against the workman, the Tribunal itself decided to hold an enquiry and whatever witnesses were available were examined. MW 1, is Narain Singh, Havaladar and the only other eye witness of the occurrence is Risal Singh apart from Rai Singh, the other guard who was himself involved in the fight and who is MW 2. The Branch Agent, Shri P. C. Mehra was also examined. MW 1, Shri Narain Singh has stated that there was "never any quarrel between Shri Rai Singh and Shri Dhuli Ram in his presence." On 21st March, 1961 after cooking his food, the witness was sitting with Mathur Babu just outside the bank premises about 20 yards away, when Dhuli Ram called him saying, "Havaladar Narain Singh come here." On going inside, he found Rai Singh cleaning the gun. Dhuli Ram was standing aside and complained that Rai Singh had not cleaned the gun, and that sugar cane juice was sticking to the gun. The witness advised Rai Singh to clean the gun. He asked Rai Singh whether he had chewed any sugar cane to which he replied that he had not. Just then Dhuli Ram uttered a filthy abuse to Rai Singh with reference to his mother. The witness asked Dhuli Ram not to utter abuse as it was not good to indulge in abuses and then asked Rai Singh to go out. The witness also asked Dhuli Ram to take his stand at his place of duty. Dhuli Ram then addressing Rai Singh said in most filthy language something which means, "I will teach you the lesson of your life." to which Rai Singh retorted, "Have you ever been in a position to teach a lesson." Shri Dhuli Ram replied, "I have taught such lessons even to the agent what to speak of you". The witness advised both not to indulge in this mutual exchange of hot words and to attend to their duties. The witness then went away up-stairs to his quarter to take his meals. Soon after he heard a call "Havaladar Narain Singh, Havaladar Narain Singh" from down-stairs. Thereupon he came running down-stairs and found Rai Singh lying on the ground and Dhuli Ram sitting on him. There was a boy standing near, by holding the gun from whom the witness immediately snatched the gun for fear that it might not be used by any one of the quarrelling parties. He then tried to raise Dhuli Ram with his right arm but was unsuccessful. In

the meantime other people came to the scene and separated the two. After the two had been separated, Dhuli Ram snatched the gun from the witness and started breaking it and loading it with cartridges. Feeling apprehensive the witness caught hold of the barrel of the gun. Shri Dhuli Ram warned him to desist but he persisted in holding the gun. Shri Dhuli Ram said, "leave me alone I shall kill this man." The witness replied, "first kill me, I would not leave my hold on the gun." Shri Dhuli Ram then placed the cartridges in his pocket and the gun in front of himself. He again asked witness to get away from in front of him, but the witness refused to move. In the meantime the agent came and made enquiries from the witness as to what had happened and he related to him the entire occurrence. The witness was confronted with the statement Ext. MW1/1 bearing his signatures at point "A". This was allegedly recorded at the spot soon after the occurrence and was written by one Shri Satpal. In cross-examination MW 1 has admitted that the statement Ext. MW1/1 was recorded in his presence by Shri Satpal, that it records correctly whatever he had stated at the time, and he signed it after it had been read over to him. The relevant portion of Ext MW1/1 is as follows:—

At the Bank gate at the time of duty, there was a quarrel between Dhuli Ram and Rai Singh followed by 'mar-peeet'. At that time the gun was with Dhuli Ram. The Havaldar came and during the quarrel he snatched the gun. During this quarrel Dhuli Ram uttered a filthy abuse, addressing Rai Singh which was followed by a scuffle and 'mar-peeet'. Rai Singh also abused Dhuli Ram outside the bank. The Havaldar advised them not to quarrel but outside the Bank, both of them again quarrelled and there was a 'mar-peeet'."

Shri Narain Singh added a statement under his own signatures as follows:—

"At the time of the quarrel Rai Singh was below and Dhuli Ram was above when I snatched the gun."

This document was produced only at the time of examination of the witness. There is a suspicious over-writing on the date noted below the signatures of Narain Singh in which the digit '6' representing the month seems to have been written originally and the digit '3' is over-written on this. MW 1 has explained that this was due to a slip of the pen while it was suggested on behalf of the workman that the statement itself was recorded on 21st June, 1961. The witness added that when he reached the spot after the call by Dhuli Ram, he found Rai Singh cleaning the gun and the belt was also with him. He did not know what had happened in the meantime before he saw Shri Rai Singh lying on the ground and Shri Dhuli Ram sitting on him. He also did not know who started the trouble resulting in the scuffle. Surprisingly the witness says that he did not notice the injuries on the body either of Shri Dhuli Ram or of Shri Rai Singh. I may say here that there are obvious contradictions between the statement in Ext. MW1/1 and in the evidence of MW 1 before me. In so far as Ext. MW 1/1 is concerned, it shows that the quarrel or 'mar-peeet' was mutual although it is stated that initially it was Dhuli Ram who uttered a filthy abuse to Shri Rai Singh. In his evidence Ext. M/4 as recorded at the departmental enquiry, Narain Singh appears to have made certain statements which also do not tally with those made here. There he gave a version of heated exchanges between Rai Singh and Dhuli Ram which consists of several questions by Rai Singh and retorts by Dhuli Ram which do not appear in his statement before me. In any case it is significant that while the statement before me and at the enquiry refers to the Havaldar having snatched the gun from a boy who was holding the gun. The statement Ext. MW 1/1 refers to the Havaldar having snatched the gun from Dhuli Ram and does not refer to the presence of the boy at all. It is also significant that none of the witnesses has named the boy at all.

9. Shri Rai Singh MW 2 has stated that on the 21st March, 1961 while he was handing over charge to Shri Dhuli Ram at 6 p.m., he remarked "have you gone blind, the cartridges belt is dirty." The witness replied, "why are you getting excited, I shall immediately clean it." The witness asked Shri Dhuli Ram to hand over the belt but he handed over to the witness the gun as well as the belt. The witness took away both, the gun and the belt to the place where the guns are usually kept and started cleaning the belt with a piece of cloth. While he was doing this, Dhuli Ram called the Havaldar from outside and after the latter had arrived he uttered an abuse addressing him with reference to his mother. The witness asked him not to indulge in abuse which is a very bad thing and the Havaldar asked the witness to move out saying, "why quarrel," and he accordingly went out. Just after he had moved out of the Bank premises, Dhuli Ram addressing him said, "do you not know me? I can teach you the

lesson of your life". The witness said, "have you ever been able to do so?" Dhuli Ram replied, "he had done so even to several agents not to speak of you." The Havaldar asked witness to go out to avoid worsening of the quarrel. In the meantime Dhuli Ram uttered further abuses with reference to his sister or daughter, whereupon the witness also got excited and uttered one or two abuses addressing Dhuli Ram. Just then, Dhuli Ram came and caught hold of him from behind and felled him to the ground over the iron railing, covering the grain storage vault, as a result of which the witness received some injuries and felt giddy. After that he only remembered that the Havaldar was trying to rescue him but further developments he did not remember as he was feeling giddy. The witness became unconscious momentarily. When he regained consciousness he found that he was alone and had been separated from Dhuli Ram. The people who had collected then removed him aside about 20 paces beyond the railway track. Just then Dhuli Ram broke the gun and wanted to load it. The Havaldar caught hold of the gun. The witness then left and did not know what further developments took place. After an hour or so the Agent of the Bank held a preliminary enquiry. In cross-examination the witness denied that while he was handing over charge to Shri Dhuli Ram either the gun or the belt was soiled with sugar cane juice or otherwise and stated that he was trying to clean the gun as well as the belt, simply because Dhuli Ram had insisted that they were unclean and since he wanted to avoid a quarrel over this petty matter. When Dhuli Ram grappled with him there was nobody else at the spot. The witness denied that when Dhuli Ram asked him to clean the gun as it was dirty, the witness retorted, "I am not going to do it, are you a 'lath sahib ka bacha'". In cross-examination he denied that there was mutual beating and simply says that Dhuli Ram caught hold of him and he fell down and Dhuli Ram sat over him. He even did not know, whether Dhuli Ram was medically examined for injuries and whether he had even received injuries.

10. Obviously these statements of the witness are false since there are on record two reports of medical examination by Dr. Sunder Lal Malik who is the Medical Officer of the State Bank of India at Mawana Branch. One is Ext. M/6 the report of injuries received by Rai Singh. The report is as follows:—

"Examined Shri Rai Singh, Guard, State Bank of India, Mawana and found the following injuries on his person:

- (1) Two abrasions $\frac{1}{2}$ " \times $\frac{1}{4}$ " each over Rt. knee.
- (2) Abrasion $\frac{1}{2}$ " \times $\frac{1}{4}$ " over Rt. Elbow.
- (3) 3" V Shaped mark over back of neck.
- (4) Complaints of pain over lower half of chest; but no visible mark of injury.

The above injuries are fresh caused within two hours and are caused by blunt weapon."

There is another medical report Ext. M/7 again relating to Rai Singh. This is of the 24th March. The injuries of Shri Rai Singh were examined at 8-10 p.m. on 21st March vide Ext. M/6. There is another medical examination report Ext. W/5 made also at 8-10 p.m. on the same date by the same doctor. This is regarding the medical examination of Dhuli Ram. The injuries are described as follows:—

"(1) Abrasion $1\frac{1}{2}$ " \times $\frac{1}{4}$ " over right temple.

(2) Abrasion $1\frac{1}{2}$ " \times $\frac{1}{4}$ " over right knee.

(3) Two abrasions 3" \times $1\frac{1}{8}$ " over lower half right leg. The above injuries are fresh inflicted within two hours caused by blunt weapon."

11. It will be seen that both Rai Singh and Dhuli Ram had received injuries with blunt weapons almost equal in number which belies the statement of Rai Singh that he did not indulge in any 'mar-peet'. In so far at least as the medical reports are concerned, both seem to have indulged in the fighting and in causing injuries to each-other. Unfortunately no other witness of the occurrence was available or could be examined, excepting Shri Risal Singh, MW 3 who had to be declared hostile because he resiled from a statement that he had made at the enquiry. Before me he only stated that he was in the mill office working as a Chowkidar when about 6 p.m. he heard a hue and cry from the direction of the bank which is opposite to his office and that a crowd had collected. After getting permission of his officer, he went to the spot in front of the State Bank premises and found that Shri Singh and Dhuli Ram were standing facing each-other with a number of people in between while the rifle was in the hands of

the Havaladar, Shri Narain Singh. Neither Rai Singh nor Dhuli Ram were speaking to each other when the witness reached there. The witness then left and until that time the rifle was in the hands of the Havaladar. He states that at the subsequent investigation by the Agent, he made a similar statement and later also he was called by the Enquiry Officer. Ext. M/1 is the statement that he made there. That statement, however, is quite different. It is stated therein, that when he went to the spot he found in front of the Bank, that Shri Rai Singh was lying below and Dhuli Ram was over him and one Resham was trying to separate them. He saw the gun in the hands of the Havaladar and later Dhuli Ram took it from the hands of the Havaladar and tried to break and load it but the Havaladar prevented it. In cross-examination he admits his signatures on Ext. M/1 but states that the signatures were not taken immediately following his statement and he was recalled and asked to sign. Shri P. C. Mehra is MW 4. He has stated that when he returned from the bazar to the bank at about 7 p.m., he found a crowd in front of the office and on enquiry from the crowd, they said it was a serious matter. He then made verbal enquiries from Sarvashri Rai Singh, Dhuli Ram, Havaladar Narain Singh and members of the public who were present including some witnesses from outside namely Sarvashri Risal, Narayan, Behram, Mathur, Majid, Resham, Ram Chander and Jagdish. They all gave him statements in writing as to what they had seen. Such of them as could write, wrote them while others got them written. These statements were Exts. M/1, M/3, M/4 and M/5 including Shri Risal Singh's statement Ext. M/1. When he enquired from Dhuli Ram as to what the matter was, he replied, "who are you to question me. You report to the Head Office who will make enquiries from me." The witness said, this is a very rude behaviour. Then he got the injuries of both the persons examined. He then issued memos. Exts. M/8 to Shri Rai Singh and M/9 to Dhuli Ram. Ext. M/12 is the chargesheet later issued to Dhuli Ram after it had been approved by the Head Office and Ext. M/13 is Dhuli Ram's reply. In cross-examination he stated that Ext. MW 1/1 was submitted to him at 7-15 p.m., on the 21st March, 1961. The witness made a detailed report on the 24th March, 1961 to the Head Office about the occurrence. He states that a boy told him the story when he came to the bank from the market but he did not know the name of the boy nor was he examined. The boy was referred to even in the chargesheet Ext. M/2. The record of examination of witnesses before Shri Mehra does not show that they were allowed to be cross-examined by Dhuli Ram. He has admitted that prior to his enquiry, Shri D. L. Khanna, the then Agent of the Meerut Branch was appointed as an Enquiry Officer and he did conduct an enquiry but the witness did not know what happened to it. It is surprising that the witness himself issued a memo. Ext. W/6 dated 24th February, 1962, saying that with reference to the chargesheet dated the 12th June, 1961 served on Shri Dhuli Ram, he was informed that Shri P. C. Mehra, Staff Assistant, would hold a departmental enquiry in the matter on the 6th March, 1962. He himself has signed this memo. It has been rightly argued by the learned representative of the workman that he had practically appointed himself as the Enquiry Officer. The memo. does not even refer to any directions from the Head Office appointing him as the Enquiry Officer. A reference to Ext. M/20, the witness's first report to the Head Office, will show that he had already given therein a complete version of the occurrence of the 21st March, 1961 as gathered from eye witnesses. The relevant part of the report is as follows:—

"At 6 p.m. Rai Singh finished his duty and handed over charge of the gun and cartridges to Dhuli Ram. There was a stain of sugarcane juice on the belt of cartridges. Dhuli Ram told Rai Singh in a very offensive tone to clean it. Rai Singh cleaned the belt but said to him "Who are you to boss over me." Dhuli Ram took over charge of the gun and the belt of cartridges and told to Rai Singh that whatever he said was all right and he (Rai Singh) could place himself and do whatever he liked. After that both of them started abusing each other. Dhuli Ram used some abusive language towards Rai Singh which involved his mother and sister and which Rai Singh deeply resented. While warning Dhuli Ram to refrain from using such language he came out of the Bank's premises but he had hardly gone a distance of 5 to 7 yards, when Dhuli Ram caught him and began to beat him with the result that the people who were sitting in front of the Bank saw that Rai Singh was lying on the ground and Dhuli Ram was on the top of him. People rushed immediately and one of them forcibly separated Dhuli Ram and Rai Singh.

As reported by the persons who were present on the spot that during the course of the fighting the gun fell down on the ground from the hands of Dhuli Ram and was picked up by some boy. In the meantime Havaladar Narain Singh rushed to the spot and took over the gun from the boy. When Dhuli Ram and Rai Singh were separated, Dhuli Ram asked the Havaladar to give back the gun to him and without waiting for his reply snatched it from his hands. After that Dhuli Ram abused Rai Singh profusely and told him that he will shoot him and opened the gun presumably with the intention of loading it. The Havaladar who was standing on the spot said in a very angry tone, "What are you doing?—You will shoot us." Thereupon Dhuli Ram closed the gun. After that Havaladar ordered Dhuli Ram to go in the Bank's premises for giving his duty and Rai Singh went some where else.

In this connection, I would add that at about quarter to six in the evening I had gone to the market and after an hour and so when I was returning home I came to know of the incident. I called all the persons who were standing there and waiting for me. A full inquiry with the matter was made by me and the statements of the persons who witnessed the incident were taken, copies of which are enclosed for Head Office perusal."

In para. 9 of this report, Shri P. C. Mehra stated as follows:—

"In this connection I would add that in view of the violent disposition of Dhuli Ram, Guard, I apprehended some danger to my person and/or my family and subject to Head Office approval I propose to inform the Police about the incident and seek their help in keeping a watchful eye over Dhuli Ram."

12 In the case of the agent's own report to the Head Office that he apprehended danger from Dhuli Ram and of the full version of the occurrence that he had already given on the basis of his preliminary enquiry, it is surprising that he himself took over the enquiry with or without directions from the Head Office. It is not known what happened to the enquiry made by Shri D. L. Khanna who had previously been appointed as Enquiry Officer. Ext. M/28 is the report of enquiry by Shri D. L. Khanna. It appears from this report that according to Dhuli Ram's statement before the Enquiry Officer, the wife of the Branch Daftry who was standing nearby rushed to the scene of fighting to separate them and rebuked them for misbehaving in that manner. In his report, the Enquiry Officer had found that the charges (i) to (iii) contained in the chargesheet dated 12th June, 1961 were proved and he held Dhuli Ram guilty of gross misconduct. As appearing from Ext. M/21 itself, however, the bank found that the enquiry conducted by Shri D. L. Khanna was not in conformity with the requirements of the Sastry Award. In these circumstances it is surprising that Shri P. C. Mehra himself was entrusted the enquiry. In his own evidence Dhuli Ram has stated that when he wanted to take over the gun from Rai Singh, its barrel and the cartridges were smeared with sugar cane juice. He asked Rai Singh to remove the smear before handing over the gun and the cartridges belt to him. Rai Singh instead of complying with his request started abusing him, saying "I am not going to clean the gun. Do what you like." Thereupon, there was a verbal duel between them. Rai Singh went up-stairs after handing over the gun to him and without cleaning it. A little later he came back down-stairs showering filthy abuses on the witness and stating that he would suck his blood. Then the witness called Havaladar Narain Singh who was sitting in front of the Bank building at the shop. The witness told the Havaladar that Rai Singh had been abusing him and asked him to persuade Rai Singh to behave. Rai Singh then called aside the Havaladar and had some conversation with him which the witness could not hear but the latter did not intervene thereafter. In the meantime Rai Singh grappled with him and tried to throw him to the ground. Havaladar, Narain Singh then advanced and attempted to snatch the gun from him but was unsuccessful. In the meantime the wife of the Bank Daftry Shri Sherve Singh, who was at the public hydrant in front of the Bank on seeing this scuffle came to the scene and took to task the Havaladar and Rai Singh for assaulting him and for snatching the gun. She actually intervened and rescued the witness from the hold of Shri Narain Singh and Rai Singh. The witness denied that the gun fell on the ground from his hands. He also denied that any boy was present inside the Bank premises at the time of the occurrence. He states that both received injuries during the scuffle but his injuries were more numerous. In cross-examination Shri Dhuli Ram admitted that from the Lushker Pay Office under the Roorki Branch of the Bank, he had once gone to Saharanpur to get a gun repaired. There was a criminal

prosecution against him for the alleged illegal possession of the gun and the cartridges for which he was convicted by the lower court to imprisonment for two years, and that his transfer from the Roorki Branch to Mawana was in connection with this case of removal of the gun. He also admitted that after the criminal case against him relating to the gun had been finally disposed of, there was a departmental enquiry against him by the Bank in the same connection following which he was reprimanded and warned. He did apologise to the Bank for having come late on duty on account of some ailment. His conviction for the removal of gun was set aside on appeal and he was acquitted.

13. On a careful consideration of the oral and documentary evidence on record, I am unable to come to the conclusion that the charges finally framed against the workman are established. The way in which certain statements were recorded and got signed during preliminary investigation, the subsequent enquiry by Shri Khanna which was superceded by another enquiry by Shri P. C. Mehra himself who had already made a complete enquiry and had submitted a report Ext. M/20 and who was already prejudiced against the workman, makes it difficult to rely on the statements of Narain Singh and Rai Singh, the only two eye witnesses who have given evidence of any value in regard to the incident. In so far as Raisal Singh is concerned, his previous statement at the domestic enquiry or at the preliminary enquiry cannot be treated as evidence except for purposes of contradiction and his present evidence is not more than that when he came to the spot he saw Rai Singh and Dhuli Ram facing each other and standing outside the Bank premises. He also saw the rifle in the hands of Havaladar Narain Singh. In so far as the evidence of Rai Singh is concerned, since there was a scuffle between him and Dhuli Ram in which both received injuries and since there was, admittedly, mutual abuse and further because Rai Singh has tried to conceal even the fact that Dhuli Ram also had received injuries, it is not possible to rely on his evidence. The utmost that can be said on the basis of his evidence is that it was probably Dhuli Ram who first indulged in abuse but there is no knowing whether there was any previous provocation by Rai Singh himself, in connection with the sugar cane juice smeared on the gun which was being handed over to Dhuli Ram. I am then left with only the evidence of Narain Singh, Havaladar but there are contradictions even in his evidence as against his first statement Ext. MW 1/1 recorded on the spot. It is also not free from doubt, if even Narain Singh is an impartial witness in the matter of the scuffle between Rai Singh and Dhuli Ram. At the same time considering the previous record of Dhuli Ram and at least his excited behaviour in the present case, it would not be appropriate that he should be retained in service of the Bank. The Association has claimed reinstatement for Dhuli Ram with full back wages and continuity of service but the order that has been passed is of discharge without notice in terms of Paragraph 521(10)(c) of the Sastry Award vide Ext. M/6. Ext. M/6, which is a show-cause notice discloses that the discharge without notice was proposed specifically as a punishment and the discharge was confirmed by the ultimate order passed on the 29th August, 1962 vide Ext. M/22, although it can be argued with force that in view of the provisions of Section 521(10)(c) and other related provisions of the Sastry Award it does not amount to disciplinary action or punishment. In any case I think the interest of justice require in this case that the order should be specifically of discharge with three months' pay and allowances, not involving any punishment. I make an award accordingly. The discharge will take effect from the date of this award. (Eighteen pages).

(Sd.) ANAND NARAIN KAUL,

Central Government Industrial Tribunal, Delhi.

5th February 1968.

[No. 51(16)/64-LRIV.]

New Delhi, the 23rd February 1968

S.O. 791.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Bombay, in the Industrial Dispute between the employers in relation to Sangli Bank Limited, Sangli and their workmen, which was received by the Central Government on 20th February, 1968.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY.

REFERENCE No. CGIT-36 of 1965

PARTIES:

Employers in relation to the Sangli Bank Ltd., Sangli.

AND

Their workmen.

PRESENT:

Shri A. T. Zambre, Presiding Officer.

APPEARANCES:

For the employers.—Shri R. Setlur, Solicitor, Shri N. R. Pandit, Labour Adviser, Indian Banks Association. Shri R. K. Ghotgalkar, Labour Officer, Indian Banks Association.

For the workmen.—Shri K. K. Mundul, Vice-President, A.I.B.E.A. Shri J. M. Paranjpe, President, Sangli Bank Employees' Union. Shri Y. R. Karandikar, General Secretary, Poona Bank Employees' Association.

STATE: Maharashtra.

INDUSTRY: Banking.

Bombay, dated 6th February 1968

AWARD

The Government of India, Ministry of Labour and Employment have by their order No. 51(18)/65-LRIV dated 20th May 1965 referred the industrial dispute between the employers in relation to the Sangli Bank Limited and their workmen in respect of the matters specified in the following schedule:—

SCHEDULE

"Whether having regard to the directions contained in the award dated 21st July 1962 of the National Industrial Tribunal (Bank Disputes), Bombay, published with the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2663 dated the 7th August 1962 the Management of the Sangli Bank Ltd., was justified in granting Bonus to their workmen for the year 1963 at the rate of one month's basic pay plus special allowance and officiating allowance If not, to what quantum of bonus are the workmen entitled?"

1. After the receipt of this reference notices were issued to the parties who have filed their statement of claim and the written statement in reply.

2. The matter was part heard and adjourned from time to time for negotiations. When it was fixed for hearing today the parties submitted that they had settled the dispute amicably and have filed the terms of settlement dated 3rd February marked annexure "A".

3. After considering the facts and circumstances, in the dispute I am satisfied that the terms of settlement are fair and reasonable and I therefore make an award in terms of annexure "A" which shall form part of this award.

No order as to costs.

A. T. ZAMBRE, Presiding Officer,
Central Government Industrial Tribunal, Bombay

ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

REFERENCE No. CGIT 36 OF 1965

In the matter of Industrial Dispute between the

Management of Sangli Bank Ltd., having its Head Office at Rajwada Chowk, Sangli.

AND

Their Workmen

Represented by the All India Bank Employees Association, 710, Ballimaran, Chandni Chowk, Delhi-6.

In the above matter referred to this Honourable Industrial Tribunal the parties have now come to the following settlement:

1. In respect of the year 1963 the Bank will pay to its workmen an additional bonus equivalent to 10 days' basic pay subject to the same terms and conditions under which one month's bonus for the year 1963 was paid.

2. The parties pray that the Hon'ble Tribunal will be pleased to give an award in terms of the settlement.

Bombay, Dated 3rd February, 1968.

for the Workmen

Sd./- K. K. MANDAL,
All India Bank Employees' Association.

for The Sangli Bank Ltd.,

Sd./- D. A. DIWAN,
Asst. Manager

Before me.

(Sd.) Illegible,

Presiding Officer,

Central Government Industrial Tribunal, Bombay.

6/2/68.

[No. 51(18)/65-LRIV.]

S.O. 792.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Bombay, in the Industrial Dispute between the employers in relation to the Sangli Bank Limited and their workmen, which was received by the Central Government on 20th February, 1968.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY.

REFERENCE No. CGIT-19 of 1964

PARTIES:

Employers in relation to the Sangli Bank Limited.

AND

their workmen

PRESENT:

Shri A. T. Zambre, Presiding Officer.

APPEARANCES:

For the employers—Shri R. Setlur, Solicitor, Shri N. R. Pandit, Labour Adviser, Indian Banks' Association. Shri R. K. Ghotgalkar, Labour Officer, Indian Banks Association.

For the Workmen—Shri K. K. Mundul, Vice-President, A.I. B.E.A. Shri J. M. Paranjpe, President Sangli Bank Employees' Union. Shri Y. R. Karandikar, General Secretary, Poona Bank Employees' Association.

STATE: Maharashtra

INDUSTRY: Banking.

Bombay dated 6th February 1968.

AWARD

The Government of India, Ministry of Labour and Employment, have by their order No. 51(5)/64-LRIV dated 3rd February 1964 referred the industrial dispute between the employers in relation to the Sangli Bank Limited and their workmen in respect of the matters specified in the following schedule:—

SCHEDULE

"Whether having regard to the directions contained in the award dated 21st July 1962 of the National Industrial Tribunal (Bank Disputes), Bombay published with the notification of the Government of India in the Ministry of Labour and Employment No. S. O. 2603 dated the 7th August, 1962, the management of the Sangli Bank Limited was justified in granting bonus to their workmen for the year 1962 at the rate of two months' basic pay plus special allowance and officiating allowance? If not, to what quantum of bonus are the workmen entitled?"

2. After the receipt of this reference notices were issued to the parties who have filed their statement of claim and the written statement in reply.

2. The matter was part heard and adjourned from time to time for negotiations. When it was fixed for hearing today the parties submitted that they had settled the dispute amicably and have filed the terms of settlement dated 3rd February marked annexure "A".

3. After considering the facts and circumstances in the dispute I am satisfied that the terms of settlement are fair and reasonable and I therefore make an award in terms of annexure "A" which shall form part of this award.

No order as to costs.

(Sd.) A. T. ZAMBRE,
Presiding Officer,

Central Government Industrial Tribunal, Bombay.

ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY.

REFERENCE No. CGIT-19 OF 1964

In the matter of Industrial Dispute between the Management of
Sangli Bank Ltd. having its Head Office at Rajwada Chowk Sangli.

AND

Their Workmen Represented by the All India Bank Employees' Association,
710, Ballimaran Chadni Chowk, Delhi-6.

In the above matter referred to this Honourable Industrial Tribunal the parties have now come to the following settlement:—

1. In respect of the year 1962 the Bank will pay to its workmen an additional bonus equivalent to 15 days' basic pay subject to the same terms and conditions under which two months' bonus for the year 1962 was paid.

2. The parties pray that the Hon'ble Tribunal will be pleased to give an award in terms of the settlement.

Bombay, dated 3rd February, 1968.

For the Workmen

For the Sangli Bank Ltd.,

Sd/- K. K. MANDUL, Vice-President

Sd/- D. A. DIWAN, Asstt. Manager

The All India Bank Employees' Association,

Before me.

Sd/- A. T. ZAMBRE,
Presiding Officer.

Central Government Industrial Tribunal, Bombay
6/2/1968.

[No. 51(5)/64-LRIV]

S.O. 793.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Allahabad in the Industrial Dispute between the employers in relation to the New India Assurance Company Limited, Kanpur and their workmen, which was received by the Central Government on 17th February, 1968.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) ALLAHABAD.

Dated Camp Kanpur, February 10, 1968

PRESENT:

Shri Mithan Lal—Presiding Officer

REFERENCE No. (CENTRAL) 8 OF 1967

BETWEEN

M/s. New India Assurance Co. Ltd., Kanpur

Versus

Their Workmen through the General Secretary, New India Assurance Co. Ltd. Employees Union, Kasturba Gandhi Road, P.O. Box No. 371, Kanpur.

APPEARANCES:

On behalf of the Management—Sri G. C. Bhalla, Labour Officer, Employers' Association of Northern India, Kanpur.

On behalf of the Workmen—S/Sri N. K. Mitra, R. C. Agarwal, V. P. Jhang, office bearers of the Union.

INDUSTRY: General Insurance.

AWARD

This reference has been made by the Central Government in exercise of the powers conferred by Sec. 7A and sub-section (2) of Sec. 10 of the Industrial Disputes Act, 1947 by Notification No. 74/7/67/LRIII, dated New Delhi the 20th October, 1967. The matter of dispute is as follows:—

"The specific matter in dispute relates to the demand for overtime from the General Secretary of the New India Assurance Co. Ltd. Employees' Union, U.P., for keeping the Company's offices in U.P. open on 15th, 17th and 21st February 1967, which were declared as

holidays under the Negotiable Instruments Act by the Government of U.P. for General Elections. The management has declined to pay overtime for the same "

It is admitted to the parties that during the last general elections the State Government by Notification No. H-XXV 1967-GAD, dated February 3 1967, declared certain days as election holidays under the provisions of the Negotiable Instruments Act. The company did not give any holiday to its employees in Nainital district though February 17th and 21 were declared as holidays nor to its employees in Dehradun district though February 15th and 17th were declared such holidays. For other districts of U.P. February 15th 17th and 21st 1967 were declared as holidays but the company gave only one day, February 15, as a holiday to its employees of Meerut and Lucknow and two days holiday i.e. the 15th and 21st February to the employees of Allahabad district. No holiday was given on any of the dates mentioned in the Government notification to the employees of Kanpur or any other districts as admitted by the parties in the statement per paper 13-A.

This dispute has been raised by the New India Assurance Co. Ltd. Employees Union. It has been alleged that under the terms of the bi-partite agreement dated 26th October 1966 the Company was bound to close its offices on the dates declared as holidays in the State but the company did not do so. It is also stated that all leading commercial establishments declared the said days as holidays for their employees. The action of the company is said to be unjustified.

It has been prayed that after declaration that the company was bound to observe the various dates mentioned in the Government Notification as holidays, the employees of the company who were made to work on such holidays should be paid overtime wages.

The company contest the claim, *inter alia* upon the ground that the company was not bound to close its offices on the dates which were declared as holidays and that having regard to the terms of the bi-partite agreement dated 26th October 1966, the company was not required to close its offices.

From the pleadings of the parties the following further issues were framed for determination:—

1. Whether the declaration of 15th, 17th and 21st February 1967 as holidays under the Negotiable Instruments Act by the State of U.P. did not make it obligatory for the company to close its establishment and grant the holidays to its employees working in this State on the aforesaid dates?
2. Whether in view of para. 15 of the agreement dated 26th October 1966, the company was justified in not granting holidays on the said dates or in not making overtime payments in lieu thereof to those employees who were made to work on the said dates?

Findings

Issue Nos. 1 and 2.—The parties have not produced any oral evidence in the case. A joint statement of the parties as also a separate statement of the representative of the employers was recorded on 9th February 1968 on paper 13-A, which clears the ambiguity in some of the facts stated in the pleadings. It is also admitted to the employers that Maharashtra Government declared only one day, February 21, 1967, as election holiday under the Negotiable Instruments Act in Greater Bombay and that the company closed its offices there on that date.

It is not the employees' case that the company was bound to close the offices merely because there was a notification of the U.P. Government closing the offices of the State Government on particular days declared as holidays. There is thus no question of closing the offices merely on the basis of the notification. What the workmen have alleged is that according to item No. 15 of the agreement between the parties entered into on 26th October 1966, the company should have closed its offices, as all commercial establishments of the State were closed on those dates. A copy of the said memo. of settlement is Ex. W/1 on record. The employees also filed a list of 25 leading commercial establishments including the insurance companies and bank which were closed on the dates declared to be election holidays. This list is admitted to the employers and is Ex. W/2 on record. The company has not produced any documentary or oral evidence to show that the leading commercial establishments of the State or in fact even of Maharashtra State were open on the dates declared as election holidays under the Negotiable Instruments Act.

Item No. 15 of Ex. W/1, which relates to holidays states in para. 1 that the company shall observe all public holidays declared at the beginning of the year by the respective State Governments under the Negotiable Instruments Act except June 30 and December 31. There is another para. which states—

“Any public holidays declared by the Government in the course of the year will not automatically be applicable, but in respect of these holidays the company will be guided by the practice in other leading commercial establishments.”

The employers rely on this paragraph and it has been urged that there could not be any automatic closure of the offices unless other commercial establishments were closed on the election holidays. Even if this argument was to be accepted, it was the duty of the company to produce cogent evidence whether oral or documentary or both, to show that in U.P. State leading commercial establishments were open on the dates declared as holidays in the districts mentioned in the notification. This has not been done. On the contrary the workmen have filed a list of 25 leading establishments showing that election holidays were observed as closed days in all such establishments.

Sri G. C. Bhalla contended that leading commercial establishments mentioned in the aforementioned paragraphs should be taken to relate to Bombay where the agreement was entered into. Firstly this contention is untenable as it could not have been intended that the offices of the company spread all over India will be governed by Bombay pattern. Secondly it is admitted in employers' statement that only one day was declared as election holiday in Bombay and the offices were closed there on that date. If that was so they should have followed the same practice in this State too. It is also unacceptable that the parties could have intended to follow the Bombay pattern in all other states. What is obviously meant by the wording of the aforementioned paragraph of the agreement is 'leading commercial establishments of a particular state, where holidays have been declared under the Negotiable Instruments Act in the course of the year'. In this State all leading commercial establishments having closed their offices on the dates declared as election holidays, the company should have also closed its offices on the relevant dates declared as holidays for particular districts. When they opened their offices they should have at the same time paid overtime allowance to its employees.

Sri Bhalla has also relied upon certain advices received from the head office or inter-office communications which are Exs. E/1 to E/11. These papers have no relevancy to the point at issue because if the head office sends advices which are contrary to the bi-partite agreement and if the branch offices follow those advices, such advices cannot nullify the terms of the agreement nor can they have any binding effect upon the employees who were entitled to holidays or overtime allowance in lieu thereof.

It may further be mentioned that the para. relating to declaration of holidays in the course of a year does not make a mention of holidays declared under the provisions of the Negotiable Instruments Act while para. 1 makes a specific mention of the holidays declared under the said Act. If the intention of the parties was to observe holidays declared under the Negotiable Instruments Act, as closed days, the paragraph relating to declaration of holidays during the course of the year should be taken to mean that so far as public holidays declared under the said Act went, the intention was to observe such days as holidays while with respect to other holidays it was not so declared but the practice prevailing in the leading commercial establishments was to be taken as a guide. As stated earlier, even if the agreement of the parties relating to holidays in the course of the year is deemed to relate to both holidays declared under the Negotiable Instruments Act or otherwise, it was still for the company to prove that commercial establishments of the State were not closed on election holidays. In the above view of the matter the company should have closed its offices on the election holidays declared in each district, but when it opened its offices in some districts on all the days, in some it opened on one or more holidays, it should have paid to its employees overtime allowance. They not having done so, have violated both the letter and spirit of the bi-partite agreement—Ex. W/1.

Matter of Dispute.—Having regard to the findings given above, the company was not justified in keeping its offices in this State open on all or some of the dates which were declared as election holidays under the Negotiable Instruments Act, as given in Govt. Notification No. H-XXV-1967-GAD, dated February 3, 1967. It having opened its offices should have paid overtime allowance to its employees for the day or days on which its offices were kept open though declared holidays

Decision

My award is that the action of the company in keeping its offices open on all or some of the dates i.e. February 15, 17, 18 and 21, 1967 was not justified. It should have declared all such days as holidays which were notified to be election holidays in a particular district under the Negotiable Instruments Act. It shall pay to its employees overtime allowance for the day or days it kept its offices open in the State though declared election holidays in particular districts as mentioned earlier.

The company shall also pay a sum of Rs. 200 (Rs. Two hundred) only as costs to the union.

Payments under the award shall be made within one month of the date this award becomes enforceable in law.

(Sd.) MITHAN LAL,
Presiding Officer.
Camp Kanpur,
10.2.68.

[No. 74/7/67/LR.III.]

O. P. TALWAR, Under Secy.

(Department of Labour and Employment)

New Delhi, the 22nd February 1968

S.O. 794.—In exercise of the powers conferred by section 4 of the Iron Ore Mines Labour Welfare Cess Act, 1961 (58 of 1961), read with item (1) of clause (a) of sub-rule (5) of rule 3 of the Iron Ore Mines Labour Welfare Cess Rules, 1963, the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 2077, dated the 8th July, 1965, namely :—

In the said notification, for the entry against serial No. 1, the following entry shall be substituted, namely :—

"The Welfare Commissioner, Iron Ore Mines Labour Welfare Fund, Goa, Chairman."

[No. F. 18/6/67-M.-III.]

S.O. 795.—In exercise of the powers conferred by section 4 of the Mica Mines Labour Welfare Fund Act, 1948, read with sub-rule (2)(a)(iii) of the Mica Mines Labour Welfare Fund Rules, 1948, the Central Government hereby nominates Shri O. Venkata Subbaiah, a Member of the Andhra Pradesh Legislative Assembly, as a member of the Advisory Committee for the State of Andhra Pradesh *vice* Shri A. Krishnayya, and makes the following amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2988, dated the 1st October, 1966, namely :—

In the said notification, for the existing entry against item 3, the following entry shall be substituted, namely :—

"Shri O. Venkata Subbaiah, M.L.A."

[No. 3/26/67-M.III.]

C. R. NAIR, Under Secy.

(Department of Labour and Employment)**ORDERS**

New Delhi, the 20th February 1968

S.O. 796.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jealgora Colliery of Messrs East Indian Coal Company Limited, Post Office Jealgora, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Jealgora Colliery of Messrs East Indian Coal Company Limited in dismissing their workman Shri Karan Bahadur, Night Watchman, from service with effect from the 26th July, 1967 was justified? If not, to what relief is the workman entitled?

[No. 2/15/68-LRII.]

S.O. 797.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Sasti Colliery, Post Office Ballarpur, District Chanda (Madhya Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Jabalpur, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Sasti Colliery, Post Office Ballarpur, District Chanda (Madhya Pradesh) is justified in refusing work to Shri S. V. Krishnamurthi, Haulage Mazdoor, from the 5th December, 1967. If not, to what relief is he entitled?

[No. 3/1/68-LRII.]

S.O. 798.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Sasti Colliery, Post Office Ballarpur, District Chanda (Madhya Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Jabalpur, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Sasti Colliery of Messrs Ballarpur Collieries Company, Nagpur were justified in not counting the service rendered by the following Coal-cutters prior to May 1966 for the purposes of calculation of retrenchment compensation at the time of affecting their retrenchment from the Company's service—

Sl. No.	Name of the workman
1.	Shri Ranjit Singh son of Shri Shitlabux Singh
2.	Shri Udit Narayan son of Shri Kamta Prasad
3.	Shri Saltbux Singh son of Shri Ghairao Singh
4.	Shri Bhagirathi son of Shri Ramphal
5.	Shri Nathu son of Shri Visheshwar.

Sl. No.	Name of the Workman
6.	Shri Basant Lal son of Shri Dwarka
7.	Shri Mattal son of Shri Kaloo
8.	Shri Munni Lal son of Shri Dwarka
9.	Shri Jagat Bahadur Singh son of Shri Vindabax Singh
10.	Shri Sumer son of Shri Gyadin
11.	Shri Badri Prasad son of Shri Sukhdev
12.	Shri Karan Chinna Chandru
13.	Shri Yanktee son of Shri Narsa
14.	Shri Buglaila son of Shri Yankaiya
15.	Shri Ramkhailavan son of Shri Bhuwar
16.	Shri Shiv Murat son of Shri Ram Charan
17.	Shri Jagdish Bahadur Singh son of Shri Kunjbihari Singh
18.	Shri Russi son of Shri Bakka Ram
19.	Shri Kamirla Chinna Rayalingu
20.	Shri Devi Prasad son of Shri Shitlaprasad Pandey

If not, to what relief are the workmen entitled?

[No. 3/3/67-LRII.]

New Delhi, the 21st February 1968

S.O. 799.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of the Central Kujama Colliery of Messrs Central Kujama Coal Concern, Post Office Jharla, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of the Central Kujama Colliery, Post Office Jharla, District Dhanbad was justified in stopping from work, Shri Rachhia Ram, Banksman, with effect from the 14th August, 1967? If not, to what relief is the workman entitled?

[No. 2/6/68-LRII.]

S.O. 800.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Gaslitan Colliery of Messrs New Manbhoom Coal Company Limited, Post Office Sijua (Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Gasltan Colliery of Messrs New Manbhoom Coal Company Limited, Post Office Sijua (Dhanbad), in stopping Shri Chhota Woli Mohammed, Pump Khalasi, from work with effect from the 10th may 1967 was justified? If not, to what relief is the workman entitled?

[No. 2/127/67-LRII.]

S.O. 801.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Sasti Colliery, Post Office Ballarpur, District Chanda (Madhya Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Jabalpur, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Sasti Colliery, Post Office Ballarpur, District Chanda (Madhya Pradesh) is justified in superannuating Shri Salam Mallaya, Mining Sirdar on the 9th August 1967? If not, to what relief is the workman entitled?

[No. 3/2/68-LRII.]

S.O. 802.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Samla Dularband Colliery, Post Office Pandaveshwar, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Samla Dularband Colliery, Post Office Pandaveshwar (District Burdwan), West Bengal, was justified in refusing employment to Shri Ch. Hari Bouri, Underground Trammer with effect from the 1st August, 1967 and thereafter on grounds of resignation by him? If not, to what relief is the workman entitled to?

[No. 6/77/67-LRII.]

CORRIGENDUM

New Delhi, the 21st February 1968

S.O. 803.—In the Order of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3949, dated the 24th October, 1967 published at page 4118 of the Gazette of India, Part II, Section 3, Sub-Section (ii), dated the 4th November, 1967,

In line 5 of the Schedule, for "5th September, 1967" read "5th September, 1966".

[No. 2/106/67-LRII.]

BALWANT SINGH, Under Secy.

MINISTRY OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS

(Department of Industrial Development)

ORDER

New Delhi, the 17th February 1968

S.O. 804/IDRA/18.—In pursuance of rule 18 of the Registration and Licensing of Industrial Undertakings Rules, 1952, and in partial modification of the Order of the Government of India in the Ministry of Industrial Development and Company Affairs (Department of Industrial Development) No. 276/RLIUR/18/1, dated the 8th January, 1968, the Central Government hereby appoints Shri Mahesh Desai, General Secretary, Hind Mazdoor Sabha, Bombay, to be a member of the Reviewing Sub-Committee of the Central Advisory Council of Industries till the 3rd November, 1969, in place of Shri Monohar Kotwal, who has ceased to be the General Secretary of the Hind Mazdoor Sabha, Bombay.

[No. 11(3)/Lic. Pol./67.]

R. SUBRAMANIAN, Under Secy.

(Department of Industrial Development)

(Indian Standards Institution)

New Delhi, the 20th February 1968

S.O. 805.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that amendment(s) to the Indian Standard(s) given in the schedule hereto annexed have been issued under the powers conferred by the sub-regulation (1) of Regulation 3 of the said Regulations.

THE SCHEDULE

Serial No.	No. and title of the Indian Standard amended	No. and Date of Gazette Notification in which the establishment of the Indian Standard was notified	No. and Date of the Amendment	Brief particulars of the Amendment	Date from which the amendment shall have effect
1	2	3	4	5	6
1	IS : 814-1963 Specification for covered electrodes for metal arc welding of mild steel (<i>revised</i>).	S.O. 1454 dated 2 May 1964	No. 1 December 1967	Clause 6 has been substituted by a new one.	31 December, 1967
2	IS : 1256-1967 Code of practice for building byelaws (<i>first revision</i>)	S.O. 287 dated 20 January 1968	No. 1 January 1968	First cover page, pages 1 and 5, Title—Substitute the following for the existing title : “ INDIAN STANDARD CODE OF BUILDING BYE-LAWS. (<i>first revision</i>)	31 January 1968.
3	IS : 1461-1966 Specification for plastic buttons (thermosetting) (<i>revised</i>)	S. O. 4023 dated 31 December, 1966	No. 1 March 1968	Page 10, table, 1, col. 2— <i>Substitute</i> ‘ 75 ’ for ‘ 70 ’	1 March 1968.
4	IS : 1885 (Part VI)—1965 Electrotechnical vocabulary Part VI Printed circuits.	S.O. 1081 dated 9 April 1966	No. 1 March 1968	This amendment has been prepared with a view to aligning the definitions for printed circuits given in this standard with those given in IEC Pub-194 terms and definitions for printed circuits,	1 March 1968.

5 IS : 3678E-1966 Specification for ready mixed paint, thick white, for lettering S.O. 3011 dated No. 1
8 October 1966 March 1968

(i) First cover page and page i, 1 March 1968
title—

Delete the word 'Emergency'.

(ii) Designation.—Substitute
'IS : 3678-1966' for 'IS :
3678E-1966', wherever it
appears in the standard.

(iii) Clauses 0.1 and 0.2 have been
substituted by new ones.

(iv) Clause 0.1.1 has been deleted.

6 IS : 4114-1957 Coded markings of values of capacitance and resistance by 23 December 1967 No. 1
letters and digits February 1968

Page 6, Table 2, third column ninth entry from the top—substitute
'10 uF' for '10 uF',

Copies of these amendment slips are available, free of cost, with the Indian Standards Institution, 'Manak Bhavan', 9 Bahadur Shah Zafar Marg, New Delhi-1 and also its branch offices at (i) Bombay Mutual Terrace, Sandhurst Bridge Bombay-7, (ii) Third and Fourth Floors, 5 Chowringhee Approach, Calcutta-13, (iii) Second Floor, Sathyamurthy Bhavan, 54 General Patters Road, Madras and (iv) 117/418-B Sarvodaya Nagar, Kanpur.

[No. MD/13:5]

S.O. 806.—In pursuance of sub-regulation (1) of Regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955 as subsequently amended, the Indian Standards Institution hereby notifies that ninetyfour licences, particulars of which are given in the Schedule hereto annexed, have been renewed.

THE SCHEDULE

Serial No.	Licence No. and date	Period of Validity		Name and Address of the Licensee	Article/Process covered by the licence	Relevant Indian Standard
		From	To			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L-47 20-1-1958	1-2-68	31-1-69	M/s. Hunsur Plywood Works, P.O. Hunsur (Mysore State)	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chest (<i>second revision</i>)
2	CM/L-51 20-1-1958	1-2-68	31-1-69	M/s. Jeypore Timber and Veneer Mills Pvt. Ltd., Dibrugarh, District Lakhim- pur (Upper Assam)	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests (<i>second re- vision</i>).
3	CM/L-52 20-1-1958	1-2-68	31-1-69	The Malabar Plywood Works, Cheruvannur, Feroke (Kerala State).	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests (<i>second revision</i>)
4	CM/L-53 20-1-1958	1-2-68	31-1-69	M/s. South India Plywood Industries, Market Landing, Kottayam (Kerala State)	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests (<i>second revision</i>).
5	CM/L-56 20-1-1958	1-2-68	31-1-69	The Great Indian Plywood Manufacturing Company, 76, Jessore Road, Dum Dum, Calcutta-28.	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests (<i>second revision</i>).
6	CM/L-57 20-1-1958	1-2-68	31-1-69	M/s. Assam Valley Plywood Pvt. Ltd., 67B, Netaji Subhas Road, Calcutta-1.	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests (<i>second revision</i>).
7	CM/L-59 20-1-1958	1-2-68	31-1-69	M/s. Assam Bengal Veneer Industries Pvt. Ltd., 9, Clive Row, Calcutta-1 (Factory- Oadlabari).	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests (<i>second revision</i>).
8	CM/L-60 20-1-1958	1-2-68	31-1-69	The Standard Furniture Co. Ltd., Kallai, Kozhikode-3 (Kerala State)	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests (<i>second revision</i>).
9	CM/L-113 19-1-1959	1-2-68	31-1-69	M/s. Phoenix Plywood, Kot- tayam, Kerala.	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests, (<i>second revision</i>).

10	CM/L-114 19-1-1959	1-2-68	31-1-69	M/s. Venus Plywood Company, Nemmara, P.O., Kerala.	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests (<i>second revision</i>).
11	CM/L-135 15-7-1959	1-2-68	31-1-69	M/s. Sarda Plywood Industries (P) Ltd., Jeypore Road, P.O. Jeypore, Assam.	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests (<i>second revision</i>).
12	CM/L-146 28-9-1959	1-1-68	31-12-68	M/s. Bharat Pulverising Mills Private Limited, 28-A, Sayani Road, Bombay-28.	BHC water dispersible powder concentrates.	IS: 562-1962 Specification for BHC water dispersible powder concentrates (<i>second revision</i>).
13	CM/L-156 20-11-1959	1-2-68	31-1-69	M/s. Sulekha Works Ltd., Sulekha Park, Jadavpur, Calcutta-32.	Ferro-gallo tannate fountain pen ink (0.1 percent iron content).	IS: 220-1959 Specification for ferro-gallo tennate fountain pen ink (0.1 percent iron content) (<i>revised</i>).
14	CM/L-158 15-1-1960	1-2-68	31-1-69	The Aluminium Industries Ltd., Hirakud, Distt. Sambalpur (Orissa State).	Hard-drawn stranded aluminium and steel cored aluminium conductors for cover-head power transmission purposes.	IS: 398-1961 Specification for hard-drawn stranded aluminium and steel-cored aluminium conductors for overhead power transmission purposes (<i>revised</i>).
15	CM/L-161 15-1-1960	1-2-68	31-1-69	M/s. Patiala Biscuit Mfrs. Pvt. Ltd., Rajpura (Punjab).	Biscuits (excluding wafer biscuits).	IS: 1011-1957 Specification for biscuits (excluding wafer biscuits).
16	CM/L-215 29-8-1960	16-1-66	15-1-69	M/s. Tata Fison Industries Ltd., Pandit Motilal Nehru Road, Jamna Kinara, Agra (U.P.).	BHC dusting powders.	IS: 561-1962 Specification for BHC dusting powders (<i>second revision</i>).
17	CM/L-226 16-9-1960	1-2-68	31-1-69	M/s. Sulekha Works Ltd., Sulekha Park, Jadavpur, Calcutta-32.	Dye based, fountain pen ink, blue, green, red, black and violet.	IS: 1221-1957 Specification for dye-based fountain pen ink (blue, green, violet black and red).
18	CM/L-244 28-11-1960	16-1-68	15-1-69	M/s. Indian Plastics Limited, Poisar Bridge, Kandivli, Bombay-67.	Phenolic moulding materials, grade 2.	IS: 1300-1966 Specification for phenolic moulding materials (<i>second revision</i>).
19	CM/L-250 26-12-1960	1-1-68	31-12-68	M/s. Krishnaveni Ink Factory, 292, Tiruvottiyur High Road, Madras-21.	Ferro-gallo tannate fountain pen ink (0.1 percent iron content).	IS: 220-1959 Specification for ferro-gallo tannate fountain pen ink (0.1 percent iron content) (<i>revised</i>).
20	CM/L-251 26-12-1960	1-1-68	31-12-68	M/s. Krishnaveni Ink Factory, 292, Tiruvottiyur High Road, Madras-21.	Dye based fountain pen ink, blue, green, violet, red and black.	IS: 1221-1957 Specification for dye based fountain pen ink (blue, green, violet, black and red).
21	CM/L-256 29-12-1960	16-1-68	15-1-69	M/s. Tata Fison Industries Ltd., Palluruthy, Cochin-5.	Copper oxychloride dusting powders.	IS: 1506-1959 Specification for copper oxychloride dusting powders.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
22	CM/L-257 29-12-1960	16-1-68	15-1-69	M/s. Tata Fison Industries Ltd., Palluruthy, Cochin-5.	Copper oxychloride water dispersible powder concentrates.	IS: 1507-1966 Specification for copper oxychloride water dispersible powder concentrates (first revision).
23	CM/L-259 13-1-1961	16-1-68	15-1-69	M/s. G.M.C. Himco Industries Limited, Kamlanagar, Subzi- mandi, Delhi-6.	18-Litre square tins.	IS: 916-1966 Specification for 18-litre square tins (revised).
24	CM/L-338 1-9-1961	1-2-68	31-1-69	M/s. Indo-Asian Traders, Pvt. Ltd., Nakodar Road, Jullundur City.	Metal clad switches of 15 amp. and 250 volts with HC type fuse base and carrier.	IS: 1567-1960 Specification for metal clad switches (current rating not exceeding 100 am- peres).
25	CM/L-359 20-11-1961	16-1-68	15-1-69	M/s. Burma-Shell Oil Storage & Distributing Co of India Ltd., Burmah Shell House, Ballard Estate, Bombay-1.	Dieldrin emulsifiable concentrates.	IS: 1054-1967 Specification for dieldrin emulsifiable concen- trates.
26	CM/L-361 27-11-1961	16-12-67	15-12-68	M/s. Modi Vanaspati Mfg. Co., Modinagar, Distt. Meerut, (U.P.).	18-litre square tins.	IS: 916-1966 Specification for 18-litre square tins (revised).
27	CM/L-367 15-12-1961	1-1-68	31-12-68	M/s. Bharat Pulverising Mills Private Limited, 589 Thiruvot- turiyur High Road- Madras-19.	Endrin emulsifiable concentrates.	IS: 1310-1958 Specification for endrin emulsifiable concentrates.
28	CM/L-370 22-12-1961	1-1-68	31-12-68	M/s. Excel Industries Private Ltd., 184-87, Ghodbunder Road, Jogeshwari, Bombay- 60.	Zinc phosphide, technical.	IS: 1251-1965 Specification for zincphosphide, technical.
29	CM/L-372 11-1-1962	1-2-68	31-1-69	M/s. Tata Fison Industries Ltd., Pandit Motilal Nehru Road, Jumna Kinara, Agra	BHC emulsifiable concentrates.	IS: 632-1966 Specification for BHC emulsifiable concentrates (second revision).
30	CM/L-376 16-1-1962	1-2-68	31-1-69	M/s. Surma Valley Saw mills Pvt. Ltd., P.O. Bhangabazar, As- sam).	Tea-chest plywood panels.	IS: 10-1964 Specification for plywood tea-chests (second re- vision).
31	CM/L-46 14-9-1962	16-12-67	15-6-68	M/s. Grandlay Electricals (India) Military Parade Road, Radio Colony, Delhi having their office at 3/4, Asaf Ali Road, New Delhi-1.	<div> <div>(a) VIR Cables Voltage for fixed wiring grade</div> <div> <div>(i) Braided & 250/440 compou- volts</div> <div>(ii) Tough 250/440 rubber volts</div> <div>(iii) Weather- 250/440 & proof. 650/1100 volts</div> </div> </div> <div> Conduc- tor Copper or Alumi- nium </div>	<div>(i) IS: 434 (Part I)-1964 Specifi- cation for rubber insulated cables with copper conductors (revised).</div> <div>(ii) IS: 434 (Part II)-1964 Specifi- cation for rubber insulated cables with aluminium con- ductors (revised).</div>

(iv) Braided and compounded.	650/1100 volts	} Copper only
(v) Tough rubber sheathed.	650/1100 volts	
(b) VIR flexible cords :	Voltage grade	Conductor

(vi) Bough rubber sheathed.	} 250/440 volts	} Copper only
(vii) Twisted twin and braided.		
(viii) Workshop type un-kinkable.		
(ix) Circular twin and braided.		

1.1/L-480 29-11-1962	1-2-68	21-1-69	M/s. Jai Electrical Industries, S/52, Industrial Area, Jullundur City.	Metal clad switches, 15 amp 250 volts, with MEM type fuse base and carrier.	IS: 1567-1960 Specification for metal clad switches (current rating not exceeding 100 amperes).
33 CM/L-481 29-11-1962	16-1-68	15-1-69	Government Central Lock Factory, (Directorate of Industries Govt. of West Bengal), Bargachia, Distt. Howrah.	(i) Brass padlocks (ii) M Type Brass padlocks.	IS: 275-1961 Specification for padlocks (second revision). IS: 1018-1961 Specification for M Type Brass Padlocks
34 CM/L-487 26-12-1962	16-1-68	15-1-69	M/s. Sulekha Works Ltd., Sulekha Park, Jadavpur, Calcutta-32.	Ink, drawing, waterproof, black	IS: 789-1955 Specification for ink, drawing, waterproof, black.
35 CM/L-489 26-12-1962	16-1-68	15-1-69	M/s. Bhangar Bros. & Co. Pvt. Ltd., 142/48, Ghodbunder Road, Jogeshwari, Bombay-60 having their Regd. Office at Anand House, 158, Kalbadevi Road, Bombay-2.	Three-phase induction motors up to 5 HP only.	IS: 325-1961 Specification for three-phase induction motors (second revision),
36 CM/L-490 26-12-1962	16-1-68	15-1-69	M/s. Bhangar Bros. & Co., Pvt. Ltd. 142/48, Ghodbunder Road Jaogeshwari, Bombay-60 having their Regd. Office at Anand House, 158, Kalbadevi Road, Bombay-2.	Single phase small AC an universal electric motors upto 1 HP with class 'A' insulation.	IS: 996-1964 Specification for single phase small AC and universal electric motors (revised).

(1)	(2)	(3)	(4)	(5)	(6)	(7)
37	CM/L-491 26-12-1962	16-1-68	15-11-69	M/s. Ganapathy Engineering Manufacturers Pvt. Ltd., Ganapathy, Coimbatore-6.	Metal clad switches, 15 amp. volts, with MEM type fuse base and carrier.	IS: 1567-1960 Specification for metal clad switches (current rating not exceeding 100 amperes).
38	CM/L-494 31-12-1962	16-1-68	15-1-69	M/s. C.M.C. (India), Survey No. 529, Near Electricity Sub-station, Odhav Road, Ahmedabad-10.	Ultramarine blue for paint.	IS: 55-1950 Specification for ultramarine blue for paints.
39	CM/L-495 31-12-1962	16-1-68	15-1-69	M/s. Feroke Tile Works, Feroke (Kerala State).	Salt-glazed stoneware pipes and fittings of diameter 100 mm, 150 mm and 300 mm.	IS: 651-1965 Specification for salt-glazed stoneware pipes and fittings (second revision).
40	CM/L-499 14-1-1963	1-2-68	31-1-69	M/s. Kolay Biscuit Co. Pvt. Ltd. 100-A Charakdanga Road, Beliaghata, Calcutta-10.	Biscuits (excluding wafer biscuits).	IS: 1011-1957 Specification for biscuits (excluding wafer biscuits).
41	CM/L-500 11-1-1963	1-2-68	31-1-69	The Aluminium Industries Ltd., No. 1, Ceramic Factory Road, Kundara.	PVC insulated cables, 250/440 volts and 650/1100 volts with aluminium conductors.	IS: 694 (Part II)-1964 Specification for PVC insulated cables (for working voltages upto 1100 V) with aluminium conductors (revised).
42	CM/L-501 23-1-1963	1-2-68	31-1-71	M/s. Tata Fison Industries Ltd., 20 Howrah Road, Salkia, Calcutta having their Head Office at Union Bank Building, Dalal Street, Fort, Bombay-1.	Endrin emulsifiable concentrates.	IS: 1310-1958 Specification for endrin emulsifiable concentrates.
43	CM/L-608 11-12-1963	1-1-68	31-12-68	M/s. Hindustan Steel Ltd., Bhilai Steel Plant, Bhilai-1, Distt. Durg, (Madhya Pradesh) having their Regd. Office at P.O. Hinoo, Ranchi.	Structural steel (ordinary quality).	IS: 1977-1962 Specification for structural steel ordinary quality).
44	CM/L-610 31-12-1963	1-2-68	31-1-69	M/s. Asian Cables Corpn. Ltd., Kotakwadi, Pokhran Road, Post Box No. 11, Thana having their Regd. Office at 254/D2, Dr. Annie Beasant Road, Worli, Bombay, 18.	(i) PVC insulated cables, unsheathed both with aluminium and copper conductors, 250/440 V & 650/1100 volts grade;	(i) IS: 694 (Part I)-1964 Specification for PVC insulated cables (for working voltages upto 1100 V) with copper conductors (revised).

(ii) PVC insulated and PVC sheathed cables with aluminium and copper conductors, 250/440 Volts grade;

(iii) PVC insulated and PVC sheathed cables with aluminium conductors, 650/1 100 volts grade; and

(iv) PVC insulated flexible cords with copper conductors, 250/440 volts grade.

(ii) IS: 694 (Part II)-1964 Specification for PVC insulated cables (for working voltages upto 1 100 V) with aluminium conductors (*revised*).

45	CM/L-611 31-12-1963	1-2-68	31-1-69	M/s. Prakash Pulversing Mills, Industrial Area, Alwar.	BHC dusting powders.	IS: 561-1962 Specification for BHC dusting powders (<i>second revision</i>).
46	CM/L-612 31-12-1963	1-2-68	31-1-69	M/s. National Refinery Private Ltd., 205/207 Swami Vivekanand Road, Jogeshwari, Bombay-60 having their Office at 87 Tardeo Road, Bombay-34.	Silver copper brazing alloys.	IS: 2927-1964 specification for brazing alloys.
47	CM/L-613 31-12-1963	1-2-68	31-1-69	The National Rolling Steel Ropes Ltd., Shamnagar, 24 Parganas, West Bengal, having their Regd. Office at Nicco House, 1 & 2 Hare Street, Calcutta-1.	(1) Steel wire ropes for winding purposes in mines. (2) Steel wire ropes for haulage purposes in mines.	(1) IS: 1855-1961 Specification for steel wire ropes for winding purposes in mines; (2) IS: 1856-1961 Specification for steel wire ropes for haulage purposes in mines.
48	CM/L-614 31-12-1963	1-2-68	31-1-69	M/s. Lloyd Bituman Products Pvt. Ltd., 1 Taratola Road, Calcutta having their office at 9A, Royd Street, Calcutta-16.	Preformed fillers for expansion joint in concrete non-extruding and resilient type (bitumen-impregnated fibre.)	IS: 1838-1961 Specification for preformed fillers for expansion joint in concrete non-extruding and resilient type (bitumen impregnated fibre).
49	CM/L-615 31-12-1963	1-2-68	31-1-69	M/s. Bayer (India) Ltd., Kolshet Road, Thana having their office at Nagin Mahal, 6th Floor, 82 Veer Nariman Road, Fort, Bombay-1.	Parathion emulsifiable concentrates.	IS: 2129-1962 Specification for parathion emulsifiable concentrates.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
50	CM/L-615 7-1-1964	1-2-68	31-1-69	M/s. Jaipur Metals and Electricals Ltd., Near Railway Station, Jaipur (Rajasthan).	Hard-drawn stranded aluminium and steel-cored aluminium conductors for overhead power transmission purposes.	IS: 398-1961 Specification for hard-drawn stranded aluminium and steel-cored aluminium conductor for overhead power transmission purposes (<i>revised</i>).
51	CM/L-767 24-8-1964	16-1-68	15-7-68	M/s. Indian Rolling Mills, 79 Fazalganj, Kanpur.	Structural steel (standard quality).	IS: 226-1962 Specification for structural steel (standard quality) (<i>third revision</i>).
52	CM/L-768 24-8-1964	16-1-68	15-7-68	M/s. Indian Rolling Mills, 79 Fazalganj, Kanpur.	Structural steel (ordinary quality).	IS: 1977-1962 Specification for structural steel (ordinary quality).
53	CM/L-833 6-11-1964	1-2-68	31-1-69	The Kandivli Metal Works, Chittabhai Patel Road, Kandivli (East), Bombay-67, having their office at Dhobiwadi, Thakurdwar, Bombay-2.	Wrought aluminium and aluminium alloy utensils.	IS: 21-1959 Specification for wrought aluminium and aluminium alloy for utensils (<i>second revision</i>).
54	CM/L-835 10-11-1964	16-1-68	15-1-69	The Hindustan Iron & Steel Co., 8, Rajendra Deb Road, Calcutta.	Structural steel (standard quality) of the following sections only : (1) M.S. rounds, up to 16 mm dia. and over 28 mm dia. (2) M.S. Squares up to 14 mm. sq. and over 28 mm sq. (3) M.S. angles, flats etc. where the cross-sectional area of the sample does not exceed 200 sq. mm.	IS: 226-1962 Specification for structural steel (standard quality) (<i>third revision</i>).
55	CM/L-836 10-11-1964	16-1-68	15-1-69	The Hindustan Iron & Steel Co., 8, Rajendra Deb Road, Calcutta.	Structural steel (ordinary quality) of the following sections only : (1) M.S. rounds up to 16 mm dia. and over 28 mm dia. (2) M.S. squares up to 14 mm sq. and over 28 mm sq.	IS: 1977-1962 Specification for structural steel (ordinary quality).

(3) M. S. angles, flats etc. where the cross-sectional area of the sample does not exceed 200 sq. mm.

56	CM/L-877 28-11-1964	1-12-67	30-11-68	M/s. Samnuggur Jute Factory Co. Ltd., Bhadreswar, Hooghly having their Office at 3 Clive Row, Calcutta-1.	Jute hessian	IS: 2818-1964 Specification for Indian hessian.
57	CM/L-878 28-11-1964	1-12-67	30-11-68	M/s. Samnuggur Jute Factory Co. Ltd., Bhadreswar, Hooghly having their Office at 3 Clive Row, Calcutta-1.	Jute sackings	IS: 1943-1964 Specification for A-twill jute bags (<i>revised</i>) IS: 2874-1964 Specification for heavy cee jute bags. IS: 2875-1964 Specification for jute corn sacks. IS: 2566-1965 Specification for B-twill jute bags (<i>revised</i>). IS: 3794-1966 Specification for Liverpool twill (L-twill) bags.
58	CM/L-917 28-11-1964	1-12-67	30-11-68	M/s. Soorah Jute Mills Co. Ltd., 102, Narkeldanga Main Road, Calcutta-11 having their Office at 15 India Exchange Place, Calcutta-1.	Jute hessian	IS: 2818-1964 Specification for Indian hessian.
59	CM/L-918 28-11-1964	1-12-67	30-11-68	M/s. Soorah Jute Mills Co. Ltd., 102, Narkeldanga Main Road, Calcutta-11 having their Office at 15 India Exchange Place, Calcutta-1.	Jute sackings	IS: 1943-1964 Specification for A-twill jute bags (<i>revised</i>). IS: 2874-1964 Specification for heavy cee jute bags. IS: 2875-1964 Specification for jute corn sacks. IS: 2566-1965 Specification for B-twill jute bags (<i>revised</i>). IS: 3794-1966 Specification for Liverpool twill (L-twill) bags.
60	CM/L-979 21-12-1964	1-1-68	31-12-68	M/s. Periyar Metal Products, Industrial Estate, Ettumanoor Kottayam (Kerala State).	Wrought aluminium utensils, grade SIC.	IS: 21-1959 Specification for wrought aluminium and aluminium alloy for utensils (<i>second revision</i>).
61	CM/L-983 24-12-1964	16-1-68	15-1-69	M/s. Kamani Metallic Oxides Pvt. Ltd., Agra Road, Kurja, Bombay-70 (AS).	Zinc, oxide for paints	IS: 35-1950 Specification for zinc oxide for paints.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
62	CM/L-984 24-12-1964	16-1-68	15-1-69	M/s. Kamani Metallic Oxides Pvt. Ltd., Agra Road, Kurla, Bombay-70 (AS)	Red lead for paints, type C.	IS: 57-1965 Specification for red lead for paints and jointing purposes (<i>revised</i>).
63	CM/L-987 29-12-1964	1-2-68	31-1-69	The Raja Bahadur Motilal Poona Mills Ltd., 5 Raja Bahadur Motilal Road, Poona-1.	(i) Drafting machines (ii) Stands for use with drafting machines (iii) Drafting units along with protractor head and scales for use with drafting machines.	IS: 2287-1963 Specification for drafting machines.
64	CM/L-988 31-12-1964	16-1-68	15-1-69	M/s. Emco General Industries, 95/1, Cossipore Road, Calcutta-12 (West Bengal) having their Office at P-16 New C.I.T. Road, India Exchange Place, Extension, Calcutta-12.	Plastic water-closet seats and covers (phenolic plastic and urea formaldehyde)	IS: 2548-1963 Specification for plastic water closet seats and covers.
65	CM/L-989 31-12-1964	1-2-68	31-1-69	M/s. Special Steels Limited, Dattapara Road, Borivli (East), Bombay-66.	Plain hard-drawn steel wire for prestressed concrete	IS: 1785 (Part-I)-1966 Specification for plain hard-drawn steel wire for prestressed concrete Part II cold drawn stress relieved wire (<i>revised</i>).
66	CM/L-993 25-1-1965	1-2-68	31-1-69	M/s. Indiclay, Plot No. 2, Udyog Nagar, Goregaon, Bombay-62.	Endrin emulsifiable concentrates	IS: 1310-1958 Specification for endrin emulsifiable concentrates.
67	CM/L-995 25-1-1965	1-2-68	31-1-69	All India Medical Corpn., Simpoli Road, Borivli West, Bombay-66 having their office at 185 Princess Street, Bombay-2.	Endrin emulsifiable concentrates	IS: 1310-1958 Specification for endrin emulsifiable concentrates.
68	CM/L-997 25-1-1965	1-2-68	31-1-69	The Omega Insulated Cable Co. (I) Ltd., Plot Nos. 16 & 17, Industrial Estate, Ambattur, Madras-58 having their office at 122/2 Mount Road, Madras-6.	PVC insulated cables. Voltage grade Conductor (i) Single core (unsheathed) 250/440 volts (ii) Single core (unsheathed) 650/1100 volts (iii) Single core (PVC sheathed) 250/440 volts. (iv) Single core (PVC sheathed) 650/1100 volts.	(i) IS: 694 (Part-I)-1964 Specification for PVC insulated cables (for working voltages up to 1100 V) with copper conductors (<i>revised</i>). (ii) IS: 694 (Part-II)-1964 Specification for PVC insulated cables (for working voltages up to 1100 V) with aluminium conductors (<i>revised</i>).

69	CM/L-999 29-1-1965	1-2-68	31-1-69	M/s. Rajasthan Industrial & Scientific Corpn., 39 Industrial Area, Jhotwara (Jaipur West), Jaipur.	Water metres (domestic type) 15 mm size.	IS: 779-1965 Specification for water meters (domestic type) (second revision)
70	CM/L-1159 29-10-1965	16-1-68	15-1-69	The National Cable Works Ltd., 20, Goalapara Road, Behala, Calcutta-34.	Hard-drawn stranded aluminium and steel-cored aluminium conductors for overhead power transmission purposes.	IS: 398-1961 Specification for hard-drawn stranded aluminium conductors for overhead power transmission purposes (revised)
71	CM/L-1184 17-12-1965	1-2-68	31-1-69	M/s. Texmo Industries, Mettupalayam Road, R. S. Puram Post, Coimbatore-2.	Three-phase induction motors with class 'A' insulation up to 7.5 HP only.	IS: 325-1961 Specification for three-phase induction motors (second revision).
72	CM/L-1187 30-12-1965	1-2-68	31-1-69	M/s. Seshasayee Wire Ropes Ltd, Edathala P.O., Alwaye (Kerala State).	(1) Steel wire ropes for winding purposes in mines. (2) Steel wire ropes for haulage purposes in mines.	(1) IS: 1855-1961 Specification for steel wire ropes for winding purposes in mines. (2) IS: 1856-1961 specification for steel wire ropes for haulage purposes in mines.
73	CM/L-1188 30-12-1965	1-2-68	31-1-69	M/s. Seshasayee Wire Ropes Ltd, Edathala P.O., Alwaye (Kerala State).	Steel wire ropes for general engineering purposes.	IS: 2266-1963 Specification for steel wire ropes for general engineering purposes.
74	CM/L-1189 6-1-1966	16-1-68	15-1-69	M/s. Nestle's Products (India), Ltd., 3 Bahadur Shah Zafar Marg, New Delhi (Factory at Ludhiana Ferozepur Link Road, Near Kingwah Canal, Moga, Punjab, under the style of Food Specialities Ltd.)	Infant milk food.	IS: 1547-1960 Specification for infant milk foods.
75	CM/L-1190 6-1-1966	16-1-68	15-1-69	M/s. Central Insecticides & Fertilizers, 110 Industrial Estate, Indore (M.P.)	BHC water dispersible powder concentrates.	IS: 562-1962 Specification for BHC water dispersible powder concentrates.
76	CM/L-1191 6-1-1966	16-1-68	15-1-69	M/s. Central Insecticides & Fertilizers, 110, Industrial Estate, Indore (M.P.)	BHC dusting powders.	IS: 561-1962 Specification for BHC dusting powders
77	CM/L-1193 10-1-1966	16-1-68	15-1-69	The Bharat Carbon & Ribbon Mfg. Co. Ltd., 543, Basantlal Sahaoad, Calcutta-53 having their office at N-75 Bombay Life Building, Connaught Circus, New Delhi-1.	Ink, duplicating, all weather, black for rotary type machines.	IS: 12221-957 Specification for ink, duplicating all weather black for rotary type machines.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
78.	CM/L-1194 10-1-1966	16-1-68	15-1-69	The Bengal Machinery Company Private Limited, 9A, New Tanga Road, Calcutta-46.	Cast iron flushing cisterns for water closets and urinals (bell type) high level, 15 litre capacity.	IS: 774-1964 Specification for flushing cisterns for water closet and urinals (valveless siphonic type) (second revision).
79.	CM/L-1196 10-1-1966	16-1-68	15-1-69	M/s. E.I.D. Parry Ltd. Rampet (North Arcot District) having their office at Dare House, Madras-1.	Vitreous sanitary appliances (vitreous china) consisting of (1) Wash-down water-closets, pattern I, height 400 mm front and rear (with P-trap and S-trap). (2) Squatting pans and traps, long pan pattern, size 450 mm and 580 mm (with corresponding trap) (3) Wash basins, flat back, size 550 × 400 mm. (4) Sinks, laboratory, size 450 mm × 300 mm × 150 mm. (5) Urinals, bowl, flat back, size 430 mm × 260 mm × 350 mm.	IS: 2556-1963 Specification for vitreous sanitary appliances (vitreous china).
80.	CM/L-1197 14-1-1966	16-1-68	15-1-69	M/s. Dharti Dhan Pvt. Ltd. Sundervas, Station Road, Udaipur.	BHC dusting powders.	IS: 561-1962 Specification for BHC dusting powders (second revision).
81.	CM/L-1198 18-1-1966	1-2-68	31-1-69	M/s. Bengal Enamel Works Ltd., Enamelnagar, Palta, 24 Parganas having their Registered Office at 41, Chowringhee Road, Calcutta-16.	Enamel ware for home use.	IS: 3149-1965 Specification for enamel ware for home use.
82.	CM/L-1201 20-1-1966	1-2-68	31-1-69	M/s. Central Insecticides & Fertilizers, Saki Naka, Vihar Lake Road, Kurla, Bombay-70 having their Office at 110, Industrial Estate, Indore, M.P.	BHC dusting powders.	IS: 561-1962 Specification for BHC dusting powders (second revision).
83.	CM/L-1202 20-1-1966	1-2-68	31-1-69	M/s. Central Insecticides & Fertilizers, Saki Naka, Vihar, Lake Road, Kurla, Bombay-70 having their Office at 110 Industrial Estate, Indore, M.P.	Endrin emulsifiable concentrates	IS: 1310-1958 Specification for endrin emulsifiable concentrates.

4.	CM/L-1233 20-1-1966	1-2-68	31-1-69	M/s. Kaira Distt. Co-operative Milk Producers' Union Ltd., Anand (W.R.), Kaira Distt. Gujarat State.	Condensed milk, full cream sweetened.	IS: 1166-1957 specification for condensed milk
5.	CM/L-1285 28-6-1966	1-2-68	31-1-69	M/s. Swicon Private Ltd. B-10, H.M.T. Industrial Estate, Jalahalli, Bangalore-31 having their Regd. Office at 521, Raja, mahal Vilas Extension Upper Palace Orchards, Bangalore-6.	AC contractors of voltage not exceeding 1 000 volts category AC3, mechanical class II, intermittent duty class IV.	IS: 2959-1965 Specification for AC contactors of voltage not exceeding 1 000 volts.
16.	CM/L-1308 29-7-1966	16-1-68	15-1-69	M/s. Inland Electrical Mfg. Co. Pvt. Ltd., Basunagar, Madhyamgram, 24, Parganas, West Bengal.	Direct-on-line motor starter, ordinary duty up to 5.6 KW (or 7.5 hp), 400/440 volts.	IS: 1822-1961 Specification for motor starters of voltages up to 650 volts.
17.	CM/L-1372 26-12-1966	1-1-68	31-12-68	M/s. Imperial Stores & Agency Co. 41, Simla Road, Manicktola, Calcutta-6, having their office at P/14, Mission Row Extension, Windsor House, Calcutta-1.	Tea-chest metal fittings.	IS: 10-1964 Specification for plywood tea-chests (second revision).
28.	CM/L-1374 28-12-1966	16-1-68	15-1-69	M/s. Annapurna Pulversing Mills Industrial Estate, Eluru, West Godavari Distt. (A.P.)	Parathion emulsifiable concentrates.	IS: 2129-1962 Specification for parathion emulsifiable concentrates.
29.	CM/L-1378 30-12-1966	16-1-68	15-1-69	The Premier Cable Co. Ltd. Karukutty, Ernakulam Distt. (Kerala State) having their Regd. Office at Chelur Bldg., Mahatma Gandhi Road, Ernakulam-6.	PVC insulated (heavy duty) electric cables with aluminium conductors for working voltages upto and including 1 100 volts.	IS: 1554 (Part I)-1964 Specification for PVC insulated (heavy duty) electric cables for working voltage upto and including 1 100 volts (revised).
90.	CM/L-1379 30-12-1966	16-1-68	15-7-68	M/s. Alembic Chemical Works Co. Ltd., Alembic Road, Baroda-3.	Parathion emulsifiable concentrates	IS: 2129-1962 Specification for parathion emulsifiable concentrates.
1.	CM/L-1381 30-12-1966	16-1-68	15-7-68	M/s. J.B. Meta Industries, Sakinaka-Vihar Lake Road, Kurla, Bombay-70.	Rolled brass plate, sheet and plate, grade Bs 63.	IS: 410-1959 Specification for rolled brass plate, sheet, strip and foil (revised).
2.	CM/L-1383 30-12-1966	16-1-68	15-1-69	M/s. Sandoz (India) Ltd., Kolshet Road, Thana, having their office at 3 Wittet Road, Bombay-1.	Endrin emulsifiable concentrates.	IS: 1310-1958 Specification for endrin emulsifiable concentrates
3.	CM/L-1384 30-12-1966	1-2-68	31-1-69	M/s. Hooseini Metal Rolling Mills, Pvt. Ltd., Tambawala Properties, Reay Road, Bombay-10.	Aluminium utensils, SIC grade.	IS: 21-1959 Specification for wrought aluminium and aluminium alloy for utensils (second revision).

	(2)	(3)	(4)	(5)	(6)	(7)
94	CM/L-1388 11-1-1967	16-1-68	15-1-69	M/s. J. K. Steel Ltd, Rishra Distt. Hooghly having their office at 18 Rabindra Sarani, Calcutta-1.	Steel wire for the core of steel-cored aluminium conductors for overhead power transmission purposes.	IS: 398-1961 Specification for hard-drawn stranded aluminium and steel-cored aluminium conductors for overhead power transmission purposes (<i>revised</i>).

[No. MD/33 : 16/A]

B. S. KRISHNAMACHAR,
Deputy Director General